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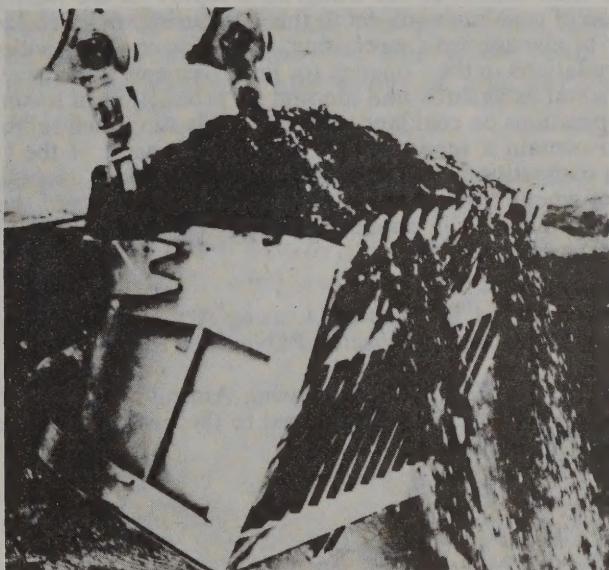
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Federal Coal Management Report

Fiscal Year 1980



Annual report of the Secretary of the Interior
under Section 8 of the Federal Coal Leasing
Amendments Act of 1976 (P.L. 94-377)

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Public Law 94-377
94th Congress, S. 391
August 4, 1976

AN ACT

To amend the Mineral Leasing Act of 1920, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That (a) this Act may be cited as the "Federal Coal Leasing Amendments Act of 1975".

(b) Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of the Mineral Lands Leasing Act, the reference shall be considered to be made to a section or other provision of the Act of February 25, 1920, entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain" (41 Stat. 437).

Sec. 8. The Mineral Lands Leasing Act is further amended by adding after section 8A the following new section 8B:

"Sec. 8B. Within six months after the end of each fiscal year, the Secretary shall submit to the Congress a report on the leasing and production of coal lands subject to this Act during such fiscal year; a summary of management, supervision, and enforcement activities; and recommendations to the Congress for improvements in management, environmental safeguards and amount of production in leasing and mining operations on coal lands subject to this Act. Each submission shall also contain a report by the Attorney General of the United States on competition in the coal and energy industries, including an analysis of whether the antitrust provisions of this Act and the antitrust laws are effective in preserving or promoting competition in the coal or energy industry."

Related Legislation

To further amend the Mineral Leasing Act of 1920, (30 U.S.C. 201(a)), the 95th Congress enacted Public Law 95-554, Sec. 8 which stated:

The title of the Federal Coal Leasing Amendments Act of 1975 (Public Law 94-377) is hereby changed to the Federal Coal Leasing Amendments Act of 1976.

Federal Coal
Leasing Amend-
ments Act of
1975.
30 USC 181
note.
30 USC 181
note.

Report to
Congress.
30 USC 208-2.



United States Department of the Interior

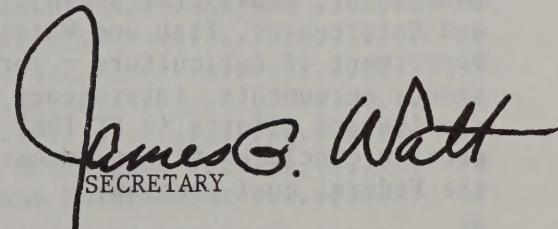
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

To the Congress of the United States:

In compliance with section 8 of the Federal Coal Leasing Amendments Act, P.L. 94-377, I am transmitting the Federal Coal Management Report, Fiscal Year 1980. This summarizes Federal coal leasing and related coal management efforts during Fiscal Year 1980.

This report completes the record of the previous administration's effort to renew Federal coal leasing and end the nine year leasing moratorium. As such, the report represents the program and perspectives of the last administration.

The annual report analyzing competition in the coal and energy industries, Competition in the Coal Industry, is prepared by the Department of Justice and transmitted separately.



James G. Watt
SECRETARY

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PREFACE

The Federal Coal Management Report is an annual report mandated by the Federal Coal Leasing Amendments Act of 1976. This Fiscal Year (FY) 1980 report is the fourth edition to be transmitted to Congress and focuses on the implementation of the Federal coal management program. Also emphasized is the interagency coordination effort that is needed to effectively implement the program. A summary of all the major coal-related activities during FY 1980 is presented.

This report is divided into three major sections: 1) Introduction; 2) Management, Supervision and Enforcement in FY 1980; and 3) Major Issues and Recommendations.

The Introduction summarizes the status of Federal coal lands and current leases and applications and briefly describes the Federal coal program. A detailed description of the coal program was presented in the FY 1979 edition.

The second section is divided into three parts - agency responsibilities and activities, interagency coordination and activities, and litigation. The FY 1980 responsibilities and activities of the Bureau of Land Management, Geological Survey, Office of Surface Mining Reclamation and Enforcement, Fish and Wildlife Service, Department of Energy, and Department of Agriculture - Forest Service are presented. The interagency agreements, interagency coordination committees, and the interagency studies and efforts in FY 1980 are also identified and described. This section concludes with a summary of the legal activities that affected the Federal coal program.

The last section identifies the status of the issues and recommendations described in previous editions. As mandated, a brief description of current issues and recommendations for improving the Federal coal program are also included.

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INTRODUCTION

STATUS OF CURRENT FEDERAL COAL LANDS, LEASES, AND APPLICATIONS

Coal has, once again, become known as a valuable energy source for the United States. Because the Federal Government owns one-third and indirectly affects the use of at least an additional 20 percent of the coal in the west, the Federal Government greatly influences the availability of coal in the U.S.^{1/} The approximately 75.6 million acres of coal lands that are owned and administered by the Federal Government are located principally in the Western States. These western Federal coal lands contain as much as 60 percent of the total western coal reserve base.

In FY 1980, 71.9 million tons of coal were mined from the Federal lands. That accounted for 8.6 percent of the total U.S. production of approximately 833 million tons. The Federal coal was mined by individuals, companies, and/or corporations holding Federal coal leases. As of September 30, 1980, there were 562 effective Federal coal leases which were held by 167 lessees. Sixteen Federal coal leases (described in the Leasing on Application Section) became effective during FY 1980. This increase was due to the issuance of 14 new leases and the partial assignment of 2 leases.^{2/} The 14 new leases were processed in response to applications that met the qualifications for leasing on application that are defined in the coal management regulations (43 CFR 3425). As of September 30, 1980, there were 34 competitive Federal coal lease applications that had not been processed.

In addition to the competitive lease applications, as of September 30, 1980, 178 preference right lease applications (PRLA's) remained to be processed. As a matter of policy, the Department of the Interior (DOI) shall complete the processing of the PRLA's by December 1, 1984, using the cycle of on-going comprehensive land-use planning where possible.

^{1/} Appendix A provides a detailed description of the U.S. and Federal coal lands and the Federal coal leases and lease applications.

^{2/} A partial assignment splits a Federal coal lease into two Federal coal leases. One lease retains the original lease number and the other is given a new number.

DESCRIPTION OF THE FEDERAL COAL MANAGEMENT PROGRAM

The Federal coal management program combines all major Federal coal management responsibilities of the Secretary into one unified program in order to:

- 1) Give the Nation a greater assurance of being able to meet its national energy objectives.
- 2) Provide a means to promote a more desirable pattern of coal development with ample environmental protection.
- 3) Assure that State and local governments participate in decisions about where and when Federal coal production will take place.
- 4) Increase competition in the coal industry.

Using the authority in the Federal Land Policy and Management Act (FLPMA) and the Federal Coal Leasing Amendments Act (FCLAA), comprehensive land-use planning for all Federal lands serves as the foundation of the Federal coal program. The principal coal resource decision in land-use planning is to determine where increased coal production could meet energy needs without unduly damaging agriculture, wildlife, recreation, or other resources and resource uses. These areas are identified by studying all Federal coal lands, screening those areas to determine which will be given further consideration for coal leasing.

Areas that will be given further consideration for leasing are determined using four screens. The first is the identification of coal areas that have high or moderate development potential. This determination is based on whether the coal resources are of sufficient quality or quantity to mine economically or are likely to become so over the life of the land-use plans (LUP's). Second, a series of 20 unsuitability criteria, including those required and authorized by the Surface Mining Control and Reclamation Act (SMCRA), is applied to lands within the planning areas. See Appendix B for a list of the unsuitability criteria. These criteria incorporate both statutory and Departmental policy for protecting significant resources and resource uses and are designed to determine the unsuitability or acceptability of an area for coal development.

Multiple-use resource management decisions serve as the third land-use screen. The adjustments at this stage in the land-use planning process will accommodate unique site-specific resource values clearly superior to coal but which are not included in the unsuitability criteria. In other cases, the multiple-use trade-offs will be in favor of the coal resource. This aspect of land-use planning will also determine which other resources, e.g., wildlife habitat, may temporarily or permanently reduce the availability of Federal coal lands for leasing and development.

In the fourth screen, qualified property owners whose surface overlies Federal coal are asked to express a preference for or against surface mining. Where a significant number of qualified surface owners express a preference against surface mining, the Secretary will not lease the Federal coal, thus protecting the rights of the surface owners and at the same time giving the DOI a clearer picture of where coal leasing is acceptable.

Once the LUP's are completed and areas acceptable for further consideration for leasing are identified, activity planning is initiated.

The purpose of activity planning is to delineate and select a sufficient number of tracts for competitive lease sale in order to meet regional leasing targets. This process includes a built-in mechanism for Federal/State cooperation by the formation of a Federal/State regional coal team (RCT) in each region. See Appendix C for a map of the Federal coal regions.

The RCT is chaired by a Bureau of Land Management (BLM) representative appointed by and responsible to the Director of BLM, a BLM State Office representative for each of the States located within a region (the State Director or his alternate), and the Governor or his representative from each of the States located within a given region. The Geological Survey (GS), Fish and Wildlife Service (FWS), Office of Surface Mining Reclamation and Enforcement (OSM), Department of Energy (DOE), appropriate State agency representatives, representatives of Indian tribes, and local government officials may serve as ex-officio team members and may participate as non-voting members in meetings of the RCT's.

The activity planning phase begins by a call for expressions of leasing interest in those areas determined acceptable for further consideration for leasing. The call for expressions from the public and the coal industry is made to obtain specific information on the areas where there is interest in Federal coal leasing. Expressions are sought from both small coal businesses and public bodies to help identify tracts for the special set-aside programs. Information received from these expressions is merged with data developed by the DOI and serves as the basis for delineating potential lease tracts, including tracts for small businesses and public bodies.

Once delineated, the potential lease tracts are analyzed on a site-specific basis, i.e., the characteristics of each specific tract are identified and a profile is prepared for each of the tracts. The site-specific analyses (SSA's) are used by the RCT to rank the tracts. The ranking is an indication of which tracts are more suitable for development and contain sufficient amounts of coal to meet the regional leasing target.

The regional leasing target is established by the Secretary of the Interior after analyzing the DOE's coal production goals, seeking public comments, and reviewing the RCT's recommendation. The leasing target is an indication of the amount of Federal coal that should be leased to meet the projected demand in the region for a given time period, taking into account that Federal coal, as well as private or State coal, will meet the total demand in the region. These targets are reviewed every two years to ensure that changes in demand are taken into account.

After ranking, tracts that are best suited for development and will meet the leasing target are selected and grouped by the RCT. Groups of tracts are initially analyzed prior to inclusion as alternatives that are analyzed in the regional lease sale environmental impact statement (EIS). The alternatives consider differing leasing levels (including the leasing target set by the Secretary) and a combination of the ranked tracts to meet those differing levels. Following public review of the draft EIS, publication of the final EIS, the recommendation by the RCT, and a consultation with the Governor of each affected State, the Secretary makes a final selection of the tracts that will be offered and adopts the schedule for the competitive sale of those tracts.

In addition to this process, the Federal coal program provides for circumstances where there is an urgent need for Federal coal. In designated Federal coal production regions where activity planning takes place, coal lease applications may be submitted for lands where Federal coal would be bypassed if not mined as part of an existing operation or where there is a need for Federal coal to maintain production or to meet existing contracts. A maximum of eight years of reserves can be leased under this part of the program. Leasing under these conditions is not a substitute for the procedure required by the long-term leasing system. These leases are only to satisfy immediate needs that cannot await the next scheduled regional lease sale.

For areas outside of a Federal coal region or within an Eastern Federal coal region (outside of an activity planning area), applications for a lease will also be accepted. In these cases, the emergency leasing restrictions on the amount of reserves that can be leased do not apply.

In addition to these leasing components, management of existing leases, processing of pending PRLA's, and certain exchanges involving coal lands or bidding rights are other significant aspects of the Federal coal program. Of particular importance in managing existing leases is the requirement for diligent development. For those leases issued before the enactment of the FCLAA (August 4, 1976), development of coal in commercial quantities must have occurred by June 1, 1986, or the lease will be subject to cancellation. For those issued after August 4, 1976, diligent development must begin within ten years of the date of issuance. Extensions may be granted if administrative actions have delayed production, if the lessee has a contract for production, if the development involves relatively large annual production, or if it involves advanced technology.

The PRLA's, which are the result of coal discovered under the now defunct prospecting permit system, are to be completely processed by December 1984. It must be determined that coal was discovered in commercial quantities before a lease can be issued.

Under certain conditions, coal leases or PRLA's may be exchanged for other mineral leases, lease bidding rights at another coal lease sale, or other Federal coal leases if the leases being exchanged are located in an alluvial valley floor or if issuance of coal leases by exchange has been specifically authorized by legislation. For exchanges, PRLA's, and existing leases, the unsuitability criteria and other planning requirements are applied to assess if the area covered by the application, exchange proposal, or lease is acceptable for coal development.

MANAGEMENT, SUPERVISION, AND
ENFORCEMENT IN FY 1980

The Office of Coal Leasing, Planning and Coordination (OCLPC) BLM, GS, OSM, and FWS carry out a number of the requirements of the Federal coal program. Additional responsibilities relating to Federal coal are carried out by other agencies outside of the DOI, particularly by the DOE and the Forest Service (FS) in the Department of Agriculture (USDA).

The OCLPC served as the focal point for conducting DOI's coal policy review and is now responsible for assuring interagency coordination for implementing the Federal coal program. The OCLPC also is DOI's key point of contact for State and local governments, industry, environmental groups, and other Federal agencies concerned with the management of Federal coal.

The BLM has major responsibility for implementing the Federal coal program. This responsibility includes preparing LUP's and, where Federal interests are not large enough to justify a LUP, a land-use analysis, both of which include surface owner consultation and application of the unsuitability criteria. The BLM also participates in selecting and recommending to the Secretary the tracts to be offered for lease, as well as preparing the analyses of those tracts and preparing the regional lease sale EIS's. In addition, BLM processes coal lease applications, coal exchanges, and carries out many of the actions relating to the management of existing leases.

The GS is responsible for estimating both the quantity and quality of Federal coal, delineating potential lease tracts, evaluating the economic value of coal resources for lands proposed for leasing, and providing technical information for BLM's land-use planning activities. The GS also establishes known recoverable coal resource areas (KRCRA's), approves the formation of logical mining units (LMU's) and some exploration plans, and monitors coal production from Federal leases. In addition, GS operates the National Coal Resources Data System (NCRDS) which is a computer-based information network that contains map data and coal resource figures.

The OSM regulates surface mining and the surface effects of underground mining, approves State programs, and provides assistance to the States concerning implementation of those State surface mining programs as well as funding mining and mineral research institutions. The OSM is also responsible for ensuring reclamation of abandoned mine areas. Both OSM and GS make recommendations to the Secretary for the approval of mining and reclamation plans which are necessary before mining can begin on a leased area.

The FWS is responsible for surface mining studies relating to wildlife. The FWS collects basic information for use in BLM's land-use and coal activity planning and in OSM's regulation and enforcement activities. It also monitors coal-related activities to assess the impact on wildlife.

The USDA, through the FS, has land management planning responsibilities for lands under its jurisdiction, although BLM is responsible for leasing. In addition, the Secretary of Agriculture may recommend stipulations to be included in a lease on FS lands, must consent to the lease terms before a lease for land in a national forest can be issued, and by regulations, must consent in the approval of mining and reclamation plans for Federal leases on FS lands.

Four areas of rulemaking responsibility for Federal coal were transferred to DOE under its 1977 Organization Act. These are to (1) foster competition for Federal coal leases, (2) implement alternative bidding systems for Federal coal leases, (3) establish diligence requirements for coal development of lands under lease, and (4) set production rates for Federal coal leases, i.e., the contribution that Federal coal will make to national coal production. The DOE is also afforded the opportunity for reviewing the terms and conditions under which a Federal coal lease will be issued. If the Secretary of Energy disapproves the terms and conditions, they may not be included in the lease.

Each of these agencies carried out its responsibilities in FY 1980 to support the implementation of or actually implement the Federal coal program. Substantial coordination among and between these various agencies was required to integrate the various actions for effective implementation of the Federal coal program.

This section presents a detailed description of each agency's Federal coal program activities during FY 1980, the interagency coordination efforts of those agencies, and the legal actions in FY 1980 that impacted the Federal coal program.

AGENCY RESPONSIBILITIES AND ACTIVITIES

OFFICE OF COAL LEASING, PLANNING AND COORDINATION

During FY 1980, OCLPC coordinated the development of policies and procedures for estimating the fair market value (FMV) of Federal coal and for establishing minimum acceptable bids. The office has the lead responsibility for oversight of implementation of those policies and procedures.

Other FY 1980 activities of OCLPC included Departmental oversight of the several regional coal lease sale efforts, development of draft policies for extension of diligent development requirements, preparation of Departmental response to GAO reports on various aspects of the coal program, and development of legislation that allows the Department to award non-competitive coal leases to certain coal companies in return for cancellation of leases on the Northern Cheyenne Reservation.

BUREAU OF LAND MANAGEMENT

The BLM continued to implement the Federal coal program during FY 1980. While implementing the program by conducting land-use and activity planning and processing the applications for leasing, the BLM developed the guidelines and procedures. The BLM also drafted some amendments to the regulations. These guidelines and drafted regulation amendments were designed to clarify certain aspects of the program.

Some of the on-going activities, including investigating suspected coal trespass, researching rehabilitation potential of energy mineral lands, and readjusting or modifying certain leases, continued while the Federal coal program implementation efforts were proceeding. These on-going efforts and activities were mandated by various laws, directives and/or program requirements. The BLM also conducted special studies on various issues. These studies and all the other BLM activities during FY 1980 are described and discussed in this section.

Land-Use and Activity Planning

The first two major steps for coal leasing in the Federal coal program are land-use planning^{3/} by the surface management agency and activity planning guided by the RCT's. Decisions resulting from the land-use planning process identify resource uses, including lands acceptable for further consideration for leasing. The land-use and activity planning in each Federal coal region during FY 1980 are summarized below. See Appendix D for a list of the LUP's completed in FY 1980 and see Appendix E for the activity planning schedules for each of the Federal coal regions.

Green River-Hams Fork Federal Coal Region - The coal activity planning process for this Federal coal region began in FY 1979. In late FY 1979, the call for expressions of leasing interest was published, 16 tracts were delineated, and SSA's were prepared.

In late October 1979, the RCT held public hearings to obtain comments on the tentative leasing target for the Federal coal region. Based on the written and oral comments received, the RCT recommended, and the Secretary adopted, in January 1980, a leasing target of 416 million tons plus a 25 percent security factor (an allowance to provide a coal supply to meet market demands in the event that tracts are not successfully

3/

The LUP's prepared are generally either Management Framework Plans (MFP's) or Resource Management Plans (RMP's). Prior to the adoption of the 1979 regulations on planning, programming, and budgeting for public lands and resources (43 CFR 1600), all LUP's that were initiated were MFP's. The new regulations now require that all new LUP's be RMP's.

sold or leases are not eventually developed). The recommended target was lower than the tentative target of 531 million tons originally announced by the Secretary in June 1979.

Scoping meetings were also held which were in accordance with the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) regulations. The purpose of these meetings was to discern issues of public concern regarding new Federal coal leasing in the region that should be analyzed in the EIS.

After reviewing the SSA for each tract, as well as other salient factors summarized tract-by-tract, and after reviewing the public comments received, the RCT ranked the tracts in groupings.

A cumulative analysis (CA) was completed on four tract groupings in early 1980. After a review of these analyses by the RCT, the draft EIS was prepared during the Spring. On May 8, 1980, upon release of the draft EIS, a 60-day period was provided to obtain comments on the proposed offering of tracts as analyzed in the EIS. Public hearings were held on June 23-26, 1980, in Denver and Craig, Colorado, and Rawlins and Cheyenne, Wyoming. The final EIS responded to the public comments received and was completed and released on August 29, 1980.

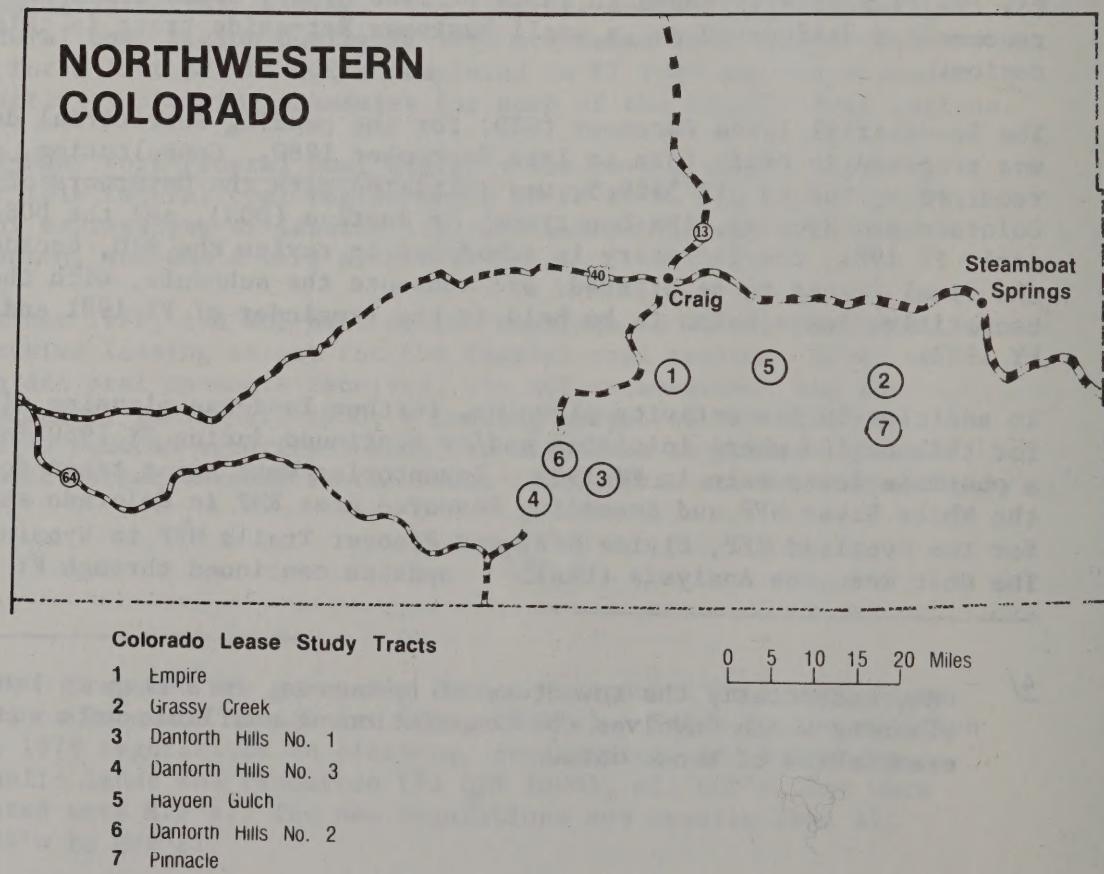
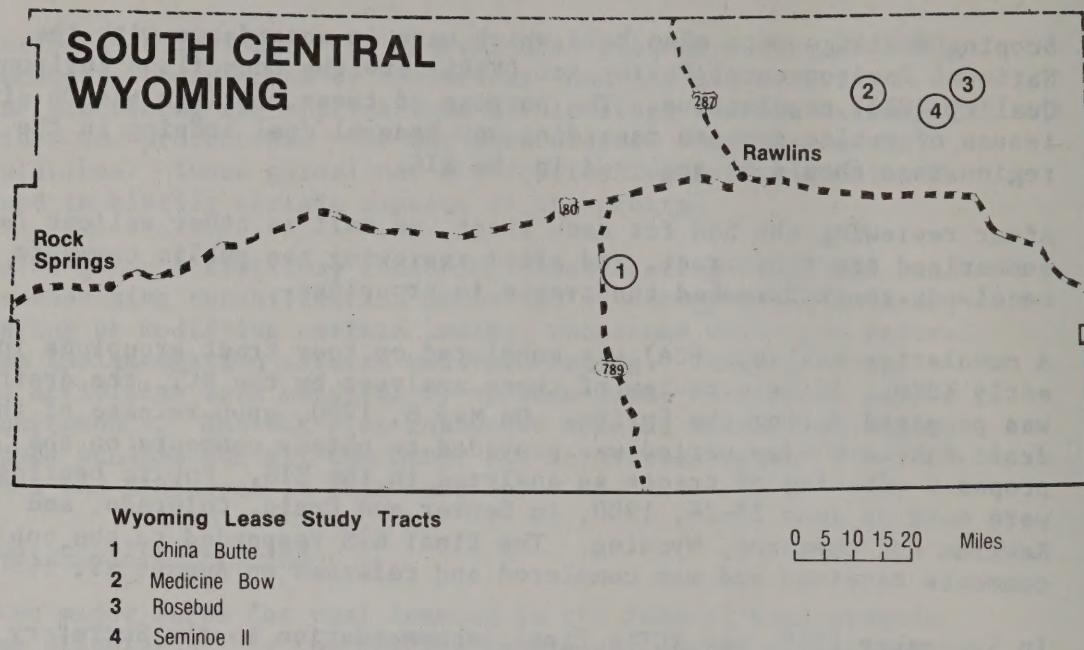
In September 1980, the RCT's final recommendation to the Secretary was to offer for lease 11 tracts. See Figure 1 for the general location of recommended tracts. The RCT also recommended a lease sale schedule for the 11 tracts is shown in Table 1. The Grassy Creek tract was recommended designated as a small business set-aside tract in this region.

The Secretarial Issue Document (SID) for the pending Secretarial decision was prepared in draft form in late September 1980. Consultation, as required by the 43 CFR 3420.5, was initiated with the Governors of Colorado and Wyoming, the Department of Justice (DOJ), and the DOE. In early FY 1981, the Secretary is scheduled to review the SID, decide on the final tracts to be offered, and announce the schedule, with the competitive lease sales to be held in the remainder of FY 1981 and early FY 1982.

In addition to the activity planning, further land-use planning efforts for this region were initiated and/or continued during FY 1980 for a possible lease sale in FY 1984. Inventories were being taken for the White River MFP and Kremmling Resource Area RMP in Colorado and for the Overland MFP, Divide MFP, and Pioneer Trails MFP in Wyoming. The Unit Resource Analysis (URA)^{4/} updates continued through FY 1980

^{4/} URA, essentially the inventory of resources, is a step in land-use planning which involves the compilation of available data and examination of those data.

Figure 1. Recommended Tracts for the Green River - Hams Fork Federal Coal Region



for the Big Sandy MFP and the Salt Wells MFP in Wyoming. Both of these MFP updates and the Pioneer Trails MFP are scheduled to be completed during FY 1981.

TABLE 1

RECOMMENDED SCHEDULE FOR SALE OF TRACTS IN THE
GREEN RIVER-HAMS FORK FEDERAL COAL REGION

Date	State	Tract	Coal Reserves (Mil-ton)	Increased Annual Lease Prod. in 1987	
				(Mil-ton)	(Mil-ton)
January 1981	Colorado	Grassy Creek	2		MP ^{1/}
		Danforth Hills			
		No. 1	40		MP
		Empire	52		0.5
April 1981	Wyoming	Rosebud	17		1.5
		Medicine Bow	27		MP
		Seminoe II	28		MP
	Colorado	Hayden Gulch	94		2.8
	Colorado	Danforth Hills			
		No. 2	54		1.8
		Danforth Hills			
		No. 3	72		2.2
October 1981	Wyoming	Pinnacle	1		MP
		China Butte	74		4.0
		Total	461		12.8

^{1/} MP: Maintenance of Production - no increase in annual production expected from this tract. Coal would likely be used to extend the life of adjoining operation.

SOURCE: U.S. Department of the Interior, Bureau of Land Management, Secretarial Issue Document on Coal Leasing in the Green River-Hams Fork Region, October 1980.

Southern Appalachian Federal Coal Region (Alabama Subregion) - Since land-use planning was already completed for the North Central Alabama Planning Area, the major focus during FY 1980 was on activity planning, although some inventories were being conducted outside that planning area. In response to a call for expressions of leasing interest issued on August 6, 1979, 24 expressions were received. Three of these expressions were submitted for possible small business set-asides.

Tract delineation was completed in December 1979 and resulted in the identification of 20 surface tracts and 6 underground tracts. See Figure 2 for the location of the delineated tracts. An SSA was prepared for each of these tracts prior to tract ranking.

Upon completion of the SSA's, the RCT ranked the tracts and made its recommendation to the Secretary to establish a regional leasing target. In May 1980 the Secretary adopted a leasing target of 103 million tons. A CA of the proposed tracts was prepared for the RCT to review and identify alternatives to be analyzed in the draft EIS. The draft EIS which analyzed 5 alternatives, including a no action alternative, was completed and will be released in early FY 1981. It is anticipated that the final EIS will be released in January 1981 for a possible lease sales beginning in June 1981.

Uinta-Southwestern Utah Federal Coal Region - Three MFP's in Utah (Kanab/Escalante, Sevier River, and Price River) were completed in FY 1980. Inventory and management planning analyses for the Grand and Beaver River RMP's were initiated. The FS management plans in the Manti-LaSal, Fish Lake, and Dixie National Forests in Utah were initiated. Work on the North Fork MFP amendment and the Glenwood Springs RMP, both in western Colorado, began in FY 1980. See Figure 3 for map of this region.

The implementation of the coal activity planning process in the Uinta-Southwestern Utah Federal Coal Region began late in FY 1979 with the opening of the call for expressions of leasing interest within portions of the Central Utah Wasatch Plateau Area.

The tract delineation process was completed by January 1980 with eight initial tracts delineated. Three of these tracts were located on FS lands, with the remaining five on BLM lands. The FS prepared an SSA for each of the tracts within the Manti-LaSal National Forest Planning Unit, while the BLM prepared the remaining five SSA's. In February 1980, after holding public hearings concerning the adoption of a leasing target, the RCT recommended that the Secretary adopt a target of 322 million tons to provide Federal coal production from this region by 1987. The RCT recommendation represents an increase from the Secretary's June 1979 tentative target of 109 million tons.

Figure 2.
Recommended
Tracts for the
Southern Appalachian
Federal Coal Region

Delineated Tracts

SURFACE MINES

- 1 GOODWIN CREEK
- 2 HARRIS CEMETERY
- 3 ELM GROVE
- 4 BOXES CREEK
- 5 HOWARD
- 6 WILLIS CHAPEL
- 7 PENDLEY
- 8 DIVIDING RIDGE
- 9 FLATWOODS
- 10 LITTLE TYRO CREEK
- 11 POPLAR HOLLOW
- 12 UPPER SULFUR SPRINGS CHURCH
- 13 BAGWELL ROAD
- 14 NORTH ROCK SPRINGS CHURCH
- 15 CRABBE ROAD
- 16 DRY CREEK NORTH
- 17 DRY CREEK SOUTH
- 18 PINEY WOODS CHURCH
- 19 YELLOW CREEK EAST
- 20 BRANNON CREEK

UNDERGROUND MINES

- 21 JESS CREEK
- 22 UPPER NORTH RIVER (BYPASS)
- 23 NORTH RIVER
- 24 ROCK SPRINGS CHURCH
- 25 WINDHAM SPRINGS
- 26 WILEY

STREAM SITES - 32 ▲

0 1 2
Miles

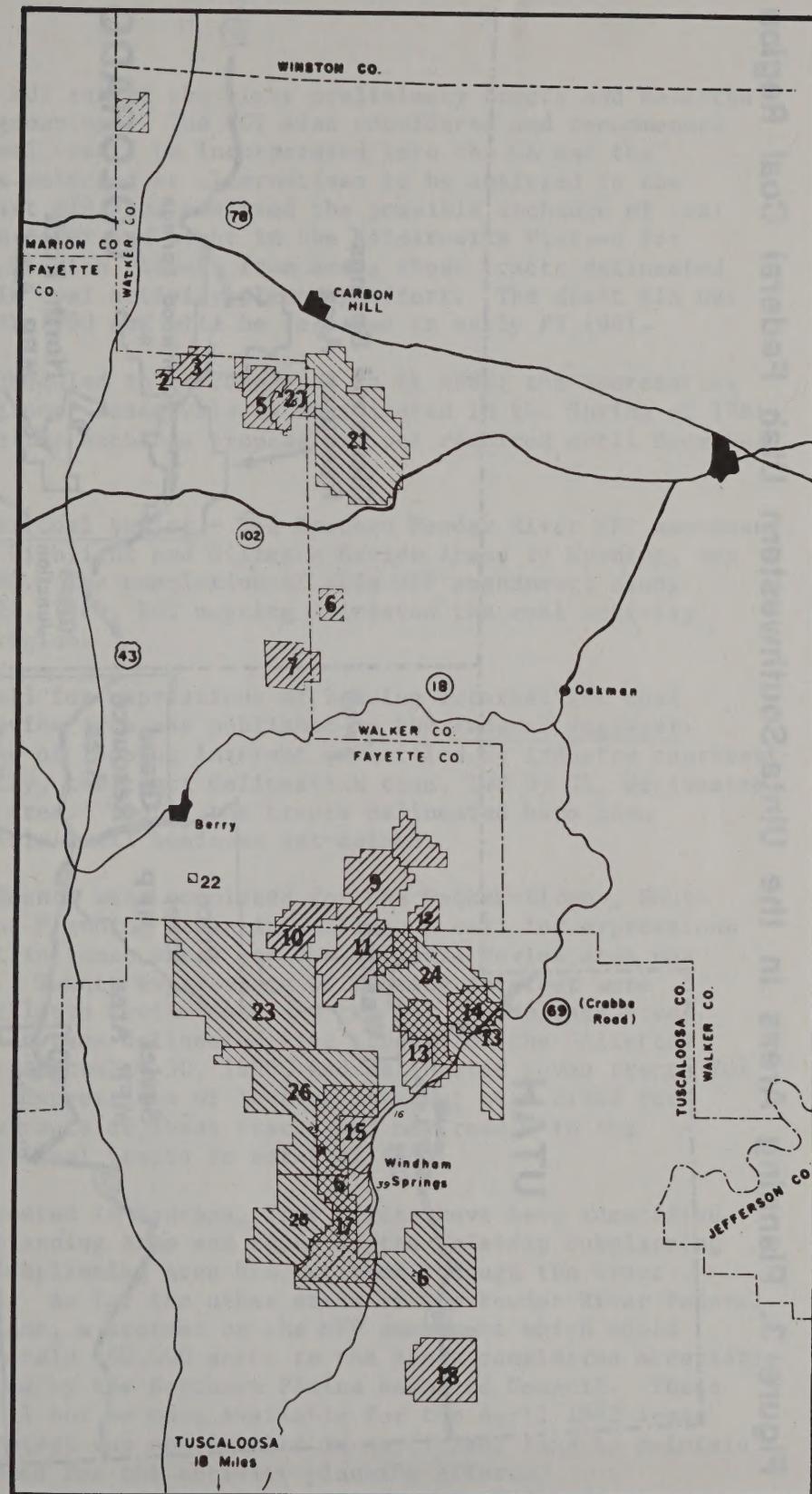
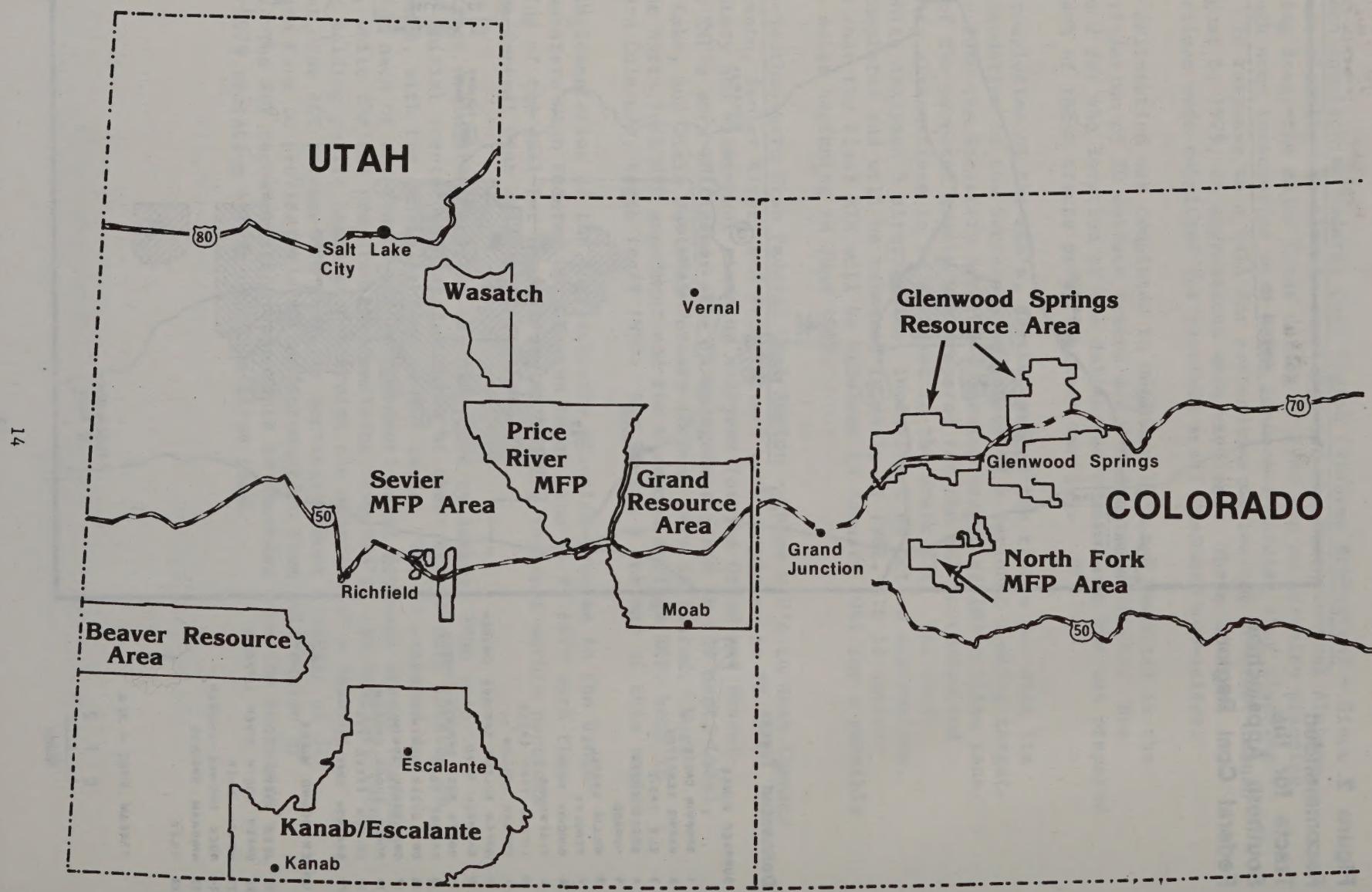


Figure 3. Planning Areas in the Uinta-Southwestern Utah Federal Coal Region



In April 1980, the RCT ranked the eight preliminary tracts and selected alternative tract groupings. The RCT also considered and recommended that three additional tracts be incorporated into the CA and the groupings of tracts selected as alternatives to be analyzed in the draft EIS. The draft EIS also analyzed the possible exchange of coal PRLA's held by Utah Power and Light in the Kaiparowits Plateau for coal leases on the Wasatch Plateau from among those tracts delineated and included in this coal activity planning effort. The draft EIS was completed in late FY 1980 and will be released in early FY 1981.

The final EIS is scheduled to be completed in FY 1981; the Secretarial decision on the regional lease sale is anticipated in the Spring of 1981, but the decision on the exchange proposal is not required until December 1981.

Powder River Federal Coal Region - The Eastern Powder River MFP amendment, which included the Highlight and Gillette Review Areas in Wyoming, was completed in FY 1980. The completion of this MFP amendment, along with the February 21, 1980, RCT meeting initiated the coal activity planning for this region.

In April 1980, a call for expressions of leasing interest for coal in the Highlight Review Area was published in the Federal Register. Thirteen expressions of leasing interest were filed by industry representatives. Subsequently, the tract delineation team, led by GS, delineated six tracts in that area. Two of the tracts delineated have been identified as possible small business set-asides.

After the MFP amendments were completed for the Decker-Birney, South Rosebud, and Ashland Planning Areas in Montana, a call for expressions of leasing interest in those areas and the Gillette Review area was filed in July 1980. Twenty expressions of leasing interest were received for the Gillette Review Area and ten for the Montana areas. The tract delineation team delineated five tracts for the Gillette Review Area and, by September 30, 1980, had delineated seven tracts for the Montana areas. Expressions of leasing interest were filed for two additional areas outside these tracts and may result in the delineation of additional tracts in early FY 1981.

Of the tracts delineated in Montana, four tracts have been identified in the Ashland Subplanning Area and three in the Colstrip Subplanning Area. The Decker Subplanning Area has not been through the tract delineation process. As for the other areas in the Powder River Federal Coal Region of Montana, a protest on the MFP amendment which would have added approximately 100,000 acres to the lands considered acceptable for leasing was filed by the Northern Plains Resource Council. These additional areas will not be made available for the April 1982 lease sale because the protest was not settled in sufficient time to maintain the schedule developed for the activity planning effort.

All of the delineated tracts are being analyzed by teams which will prepare SSA's for each tract. Also to be prepared in FY 1981 will be a regional EIS to address the alternatives for a proposed lease sale.

Although activity planning was being conducted in some areas in the Powder River Federal Coal Region, there were areas where land-use planning was only beginning in FY 1980. In the Platte River Resource Area of Wyoming, preplanning analysis was initiated. Also, the FS began the LUP and SSA's for the PRLA's in the Thunder Basin Grasslands and began to develop the LUP needed for processing the competitive applications that have been filed.

Fort Union Federal Coal Region - The coal activity planning in the Fort Union Federal Coal Region began in March 1980, with the initial RCT meeting. This meeting, along with the completion of the Redwater and Golden Valley planning amendments, was the impetus for the April 1980 call for expressions of leasing interest in those areas. Thirteen expressions of leasing interest were received.

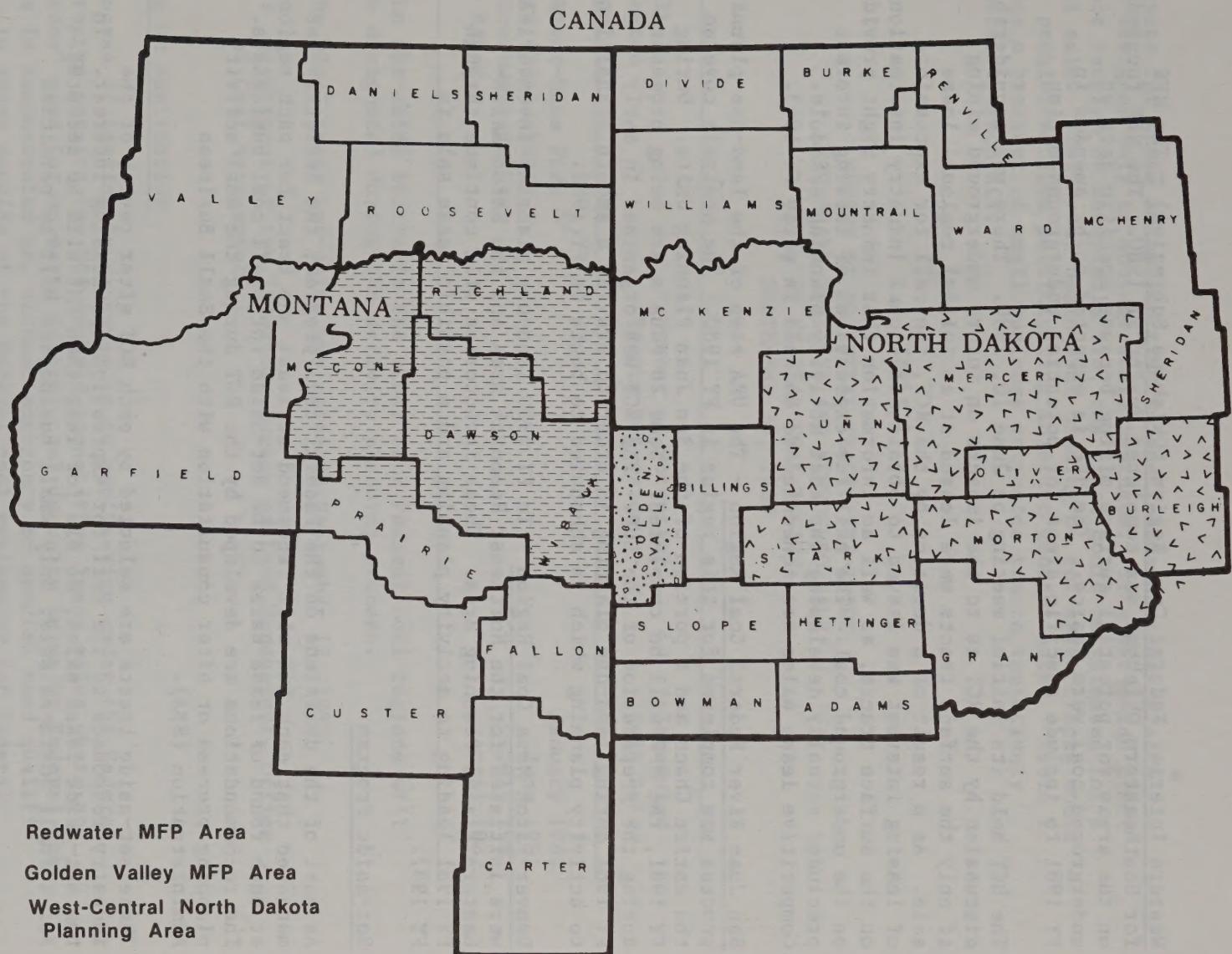
Figure 4 illustrates the physical location of the planning areas in the Fort Union Federal Coal Region.

The tract delineation team, led by GS, analyzed the existing resource data and the expressions of leasing interest to select 11 tracts for further coal leasing consideration. Nine of these tracts are located in the Redwater Planning Area of Montana and two are located in the Golden Valley Planning Area of North Dakota. The preparation of the SSA for each of these tracts was initiated in September 1980 by the Miles City and Dickinson BLM District Offices respectively and is expected to be completed in June 1981.

The land-use planning effort for the West-Central North Dakota Planning Area, which is also in the Fort Union Federal Coal Region, was nearing completion by the end of FY 1980. A call for expressions of leasing interest for that area is scheduled to be announced in early FY 1981.

By the end of FY 1980, the Fort Union Federal Coal Region efforts were on schedule. Activities such as public and agency EIS scoping meetings, public hearings and environmental analyses, tract delineation, and tract ranking are scheduled for FY 1981. Completion of these activites is expected to lead toward coal lease sales which are scheduled to begin in June 1983.

Figure 4. Planning Areas in Fort Union Coal Region



Western Interior Federal Coal Region (Oklahoma Subregion) - The MFP for Southeastern Oklahoma was completed during FY 1980. The MFP focused on the areas for potential surface mining because specific data on underground coal were scarce. The MFP is expected to be amended in FY 1981 to include specific areas for potential underground mining.

The RCT held its initial meeting on June 10, 1980. There was considerable discussion by the RCT as to the impacts on future underground mining if only the surface tracts were leased at an initial regional lease sale. As a result of a decision by the RCT, the call for expressions of leasing interest was issued to obtain additional industry information on the surface tracts, as well as information that industry might provide on the underground coal. The call for expressions of leasing interest precluded actually developing the coal activity planning schedule. Competitive lease sales are scheduled to be held in early FY 1983.

San Juan River Federal Coal Region - The URA step of the land-use planning process was completed for this region in FY 1980. The analysis covered the entire Chaco and a portion of the San Juan Planning Units. During FY 1981, the MFP will be completed. Some 26 PRLA's are being processed during the preparation of the LUP. The RCT was organized in early FY 1981 during land-use planning in order to provide a smooth transition to activity planning which is scheduled to begin in FY 1982.

Denver-Raton Mesa Coal Region - In FY 1980 land-use planning inventories were initiated for the Northeast Resource Area and the Raton Basin-Eastern Plains Planning Area. These inventories will continue through FY 1981 leading to activity planning and a possible lease sale in FY 1987.

Set-Aside Program

As part of the decisions on the Federal coal program, the Secretary has mandated that each RCT will recommend at least one tract for each region at each round of lease sales to be set-aside for small coal businesses. 5/ The recommendations are developed by the RCT during the coal activity planning process or after consultation with the Small Business Administration (SBA).

These set-aside tracts are selected by each RCT after review of the industry responses to the call for expressions of leasing interest. In the set-aside lease sales, no bid for less than FMV will be accepted. For a small business sale, only small businesses will be permitted

5/ See 13 CFR Part 121 for detailed definition of small business.

to compete for these set-aside tracts, and leases on these tracts may be assigned only to another small business. If a set-aside tract does not receive an acceptable bid, the tract could be released for a general sale. Small coal businesses bidding on set-aside tracts would not be prohibited from participating in other general sales. Table 2 provides a breakout of small business set-aside tracts tentatively designated by each RCT.

TABLE 2

NUMBER OF POTENTIAL TRACTS SET-ASIDE
FOR SMALL BUSINESS AND SCHEDULED SALE
DATE, BY FEDERAL COAL REGION:
SEPTEMBER 30, 1980

Federal Coal Region ^{1/}	Number of Potential Tracts Set-Aside	Scheduled Sale Date
Green River-Hams Fork ^{2/}	1	January 1981
Southern Appalachian	4	June 1981
Uinta-Southwestern Utah	3	July 1981
Powder River	4	April 1982

^{1/} The set-aside tracts in the other four Federal coal regions will be designated during the activity planning process.

^{2/} The final tract set-aside was selected September 17, 1980.

SOURCE: Department of the Interior, Bureau of Land Management, Office of Coal Management

Leasing on Application

The process of leasing in response to an application under the Federal coal program permits the DOI to hold competitive lease sales where an "emergency" need for unleased Federal coal deposits in major Federal coal regions is demonstrated or, without emergency or special need qualification, in areas outside of the Federal coal regions or for Federal coal deposits outside eastern (totally east of the 100th Meridian) activity planning areas. The coal regulations (43 CFR 3425) also allow the DOI to hold lease sales for the remainder of the applications specifically cited in the Natural Resources Defense Council, Inc. (NRDC) v. Royston Hughes amended court order, 454 F. Supp. 148 (D.D.C. 1978).

During FY 1980, 14 leases for 10,376 acres containing 135.67 million tons of recoverable reserves were issued as a result of competitive sales. See Appendix A.

On December 12, 1979, a competitive sale was held in response to an application filed by Decker Coal Company. No bid was received for the tract which contains 530 acres and 14.7 million tons of recoverable reserves.

A competitive sale was held on August 19, 1980, in response to an application filed by Knife River Coal Mining Company, for an 80-acre tract containing 1.0 million tons of recoverable reserves in North Dakota. The company submitted a bonus bid of \$25 per acre and will be required to pay a production royalty of 12.5 percent. It is expected that the lease will be issued in early FY 1981.

During FY 1980, the application filed by the Lower Colorado River Authority for lignite reserves located within the Camp Swift Military Reservation in Texas was being processed. This was one of the specifically named hardship cases in the NRDC v. Hughes amended court order. The amended court order required the preparation of an EIS to thoroughly examine the impacts of leasing. The draft EIS was filed with EPA on September 26, 1980. This opened the 60-day public comment period on the draft statement. The final EIS is scheduled to be completed in April 1981 with a Secretarial decision in May 1981 for a possible lease sale in late July 1981.

The Edison Development Company application (Wyoming), also cited in the NRDC v. Hughes amended court order, is also being processed. A site-specific EIS for this application was completed in FY 1979. As part of the leasing process, the BLM has asked the GS to provide a determination on maximum economic recovery (MER) of the coal under application. The GS has done additional drilling to obtain more coal resource data as a basis for determining the recoverability of the coal. If a sale is approved, it could be held in FY 1981.

The pending PRLA's are being processed in the cycle of ongoing comprehensive land-use planning unless it is determined that processing in this manner will not be completed by December 1, 1984. Each applicant may request an estimate of when the application will be completely processed if done in conjunction with the cycle of land-use planning. The applicant may also request that the application be processed in advance of that time by showing that a substantial hardship will result if processed in conjunction with the land-use planning cycle.

During FY 1980, there were seven PRLA's that were rejected because they did not meet the requirements or were dropped at the request of the applicants. An additional two PRLA's and seven prospecting permits were reinstated because of litigation. See Litigation Section.

Amendments of the Regulations

The Federal coal program regulations (43 CFR 3400) which identify the procedures for carrying out the Secretary's decisions on the management of federally owned coal were published on July 19, 1979. In July 1980, the BLM initiated the process of amending these rules for two major reasons. First, in the course of implementing the Federal coal program for over a year, certain ambiguities associated with components of the rules were identified. These ambiguous sections required clarification in order to provide proper guidance for the implementation of the Federal coal program. The other reason for amending these rules was to bring certain sections of the rules into conformance with the court's judgment in recent litigation involving the Federal coal program (Texaco, Inc., v. Andrus and National Coal Association, et al. v. Andrus). See the Litigation Section for details concerning these court decisions.

The BLM served as the coordinator of the rulemaking amendment process with input provided by various offices and bureaus in the DOI. The amended rules were prepared in FY 1980 and are scheduled to be reviewed within the DOI in FY 1981 and published in the Federal Register.

Federal-State Coal Advisory Board

The Federal-State Coal Advisory Board was established March 20, 1980, to advise the Secretary and the Director of the BLM regarding the Federal coal program. The board is chaired by the Director of the BLM and its members include the members of eight RCT's. Through the RCT's, the board 1) considers and suggests policy for regional lease target setting, tract delineation, and SSA's for Federal coal regions; 2) guides and reviews tract ranking; 3) conducts the selection and sale scheduling process in order to recommend regional lease sale alternatives for the regional lease sale EIS's; 4) recommends adjustments, if any, to the relevant regional production goals; and 5) serves as the forum for Department/State consultation and cooperation in all other major Departmental decisions concerning the Federal coal program in the Federal coal regions. Through its annual meeting, the board coordinates RCT activities, acquires a national perspective for leasing Federal coal, correlates regional leasing targets, and considers production trade-offs between Federal coal regions.

The first meeting of the board was held on August 12 and 13, 1980. Eight recommendations were proposed and seven were adopted unanimously; the one remaining proposal was adopted as a State recommendation. The board unanimously recommended that: 1) each RCT hold special meetings with industry to discuss industry's projected coal needs, industry's plans within each coal basin, and any problems that are being experienced by industry with the Federal coal program. Other groups should also be afforded the same opportunity to meet with each RCT; 2) the 5-year planning and drilling schedules of the FS and BLM be provided to the

RCT; 6/ 3) other Federal agencies knowledgeable in impact mitigation strategies be invited to participate in specific RCT meetings where post-lease sale mitigation efforts are being considered; 4) the DOE be invited to support the RCT's by having ex-officio representation on each RCT; 5) the OSM be required to provide all necessary support to the RCT's and work with BLM during land-use planning; 6) each RCT regularly publish a newsletter as a means of keeping the public better informed and to stimulate more meaningful discussion at team meetings; and 7) the DOI support the travel costs of State personnel involved in the Federal coal program.

The State members recommended that, upon a State's request, the BLM include in a lease specific stipulations that would require "... that the lessee comply with all specific State and local land-use, siting and environmental laws and regulations." Although the Federal members of the board chose not to endorse this proposal and expressed concern over the legal authority for such action, the State's recommendation was forwarded, along with the other recommendations, to the Secretary. Secretarial action on the board's recommendations is expected in early FY 1981.

Coal Exchanges

Public Law (P.L.) 95-554, 92 Stat. 2073, authorized the Secretary to issue coal leases for other Federal coal lands in exchange for the relinquishment of eight PRLA's in Utah and nine Federal leases in Wyoming. The DOI is processing the Utah exchange in conjunction with activity planning in the Uinta-Southwestern Utah Federal Coal Region on a schedule that will permit a decision on the exchange by December 31, 1981. The GS conducted exploratory drilling on the exchange proponent's selected lands in FY's 1979 and 1980. At the end of FY 1980, the GS was completing an economic evaluation of the offered and selected lands so that the exchange could be made on an equal value basis as required by P.L. 95-554.

The DOI is preparing to process several of the Wyoming coal lease exchanges authorized by P.L. 95-554 in conjunction with activity planning in the Powder River Federal Coal Region. The six lessees whose leases were listed in P.L. 95-554 were contacted and invited to submit exchange proposals if they had not already done so. Five of the six lessees responded and are actively pursuing exchanges. The DOI is drafting an agreement with one of the lessees that will outline the responsibilities

6/

It was the intent of the advisory board for the 5-year planning schedules of the BLM and the FS and for the 5-year drilling schedule of the GS to be provided to the RCT's. The wording of this recommendation did not distinguish between the kinds of schedules that can be provided by these agencies.

of the parties involved and provide target dates for completing the major steps leading up to an exchange. The DOI has offered to draft agreements with the other lessees if the lessees desire, but no other lessee had expressed such a desire as of the end of FY 1980.

Two other pieces of special exchange legislation were passed by Congress at the end of FY 1980. One, H.R. 6816, provides for the relinquishment of all or parts of two Federal coal leases in New Mexico in exchange for coal leases for other lands of equal value in New Mexico. That legislation provides for completion of the exchange within 30 months or as soon as practicable thereafter. The other legislation, the Rattlesnake National Recreation Area and Wilderness Act of 1980 (S. 3074), provides for the acquisition of non-Federal interests within the boundaries of an area in the Lolo National Forest in Montana, to be known as the Rattlesnake National Recreation and Wilderness Area, by purchase or gift or by exchange for coal lease bidding rights or coal lease modifications, or both. The act expresses the intent of Congress that an exchange occur within 3 years of the date of enactment. The President was expected to sign these pieces of legislation in FY 1981.

At the request of Representative Seiberling, Chairman of the House Public Lands Subcommittee, BLM has been coordinating meetings and discussions among the GS, the FS, and the Mid-Allegheny Corporation (a subsidiary of the Chessie Railroad). The purpose of these meetings was to seek a fee coal exchange for coal which Mid-Allegheny may be unable to develop because it underlies a proposed wilderness area in the Monongahela National Forest in West Virginia. Preliminary attempts to identify a suitable exchange site in West Virginia, Alabama, or Kentucky have not appeared to be successful. Exchange legislation, similar to that establishing the Rattlesnake Wilderness Area, is being discussed and may be introduced during the next session of Congress.

Congress enacted legislation at the end of FY 1980 which provides for the cancellation of coal leases and permits on the Northern Cheyenne Indian reservation in Montana. The legislation authorizes the Secretary to execute cancellation agreements with the lessees and permittees and the Tribe that would grant compensation to the lessees and permittees equal to the investments made in the cancelled leases and permits. Compensation would be in the form of noncompetitive coal leases or certificates of coal lease bidding rights. Cancellation agreements involving the leases would have to be executed prior to November 1, 1980, to be valid and cancellation agreements involving the permits would have to be executed prior to January 1, 1982, to be valid. The legislation provides that the leases and permits are cancelled on those dates regardless of whether cancellation agreements have been executed. The authority of the Secretary to provide compensation ends on those dates, and any compensation due the lessees and permittees would be decided by the U.S. Court of Claims. The President is expected to sign the legislation.

Federal Coal Trespass

Casework - At the beginning of FY 1980, the BLM was investigating 21 cases of actual or potential coal trespass in Alabama and 1 case of suspected trespass in Maryland.

During FY 1980, the BLM identified four additional cases of coal trespass -- two in Alabama, one in Utah, and one in Wyoming. In addition, the BLM discovered that the lands involved in each of seven trespass cases in Alabama were found to have been mined illegally by two separate operations at different times rather than by a single operation as previously thought. The newly distinguished trespass episodes were given new trespass case numbers and case files and are being investigated as separate cases. This action was administrative and in no way increased the total amount of Federal coal involved in coal trespass in Alabama beyond that which was involved in the cases before separation.

One Alabama case and the one Maryland case were closed during FY 1980. The Maryland case was closed after investigations revealed that the Federal Government did not own the mineral rights on the land in question. One Alabama case was closed after investigation revealed that the area had been mined in trespass in the early 1960's and trespass damages had been paid to the Federal Government in 1965. No further mining had occurred on the tract since that date.

Trespass has been verified in all of the Alabama cases. One of the cases, involving Invesco International Corporation, is the subject of a lawsuit filed by Invesco against the Secretary in U.S. District Court in Birmingham, Alabama (Invesco International Corporation of Alabama, No. 3 v. Cecil D. Andrus et al.; Civil No. 79-P-0181-5). The case is expected to come to trial beginning on January 12, 1981. The Federal Government filed a counterclaim against Invesco in the suit seeking \$2,115,525.10 in willful trespass damages for the unauthorized mining of an estimated 92,000 tons of coal.

The Federal Government filed suit in U.S. District Court in Birmingham to recover \$2 million in trespass damages for the unauthorized mining of coal in three separate cases in 1974 and 1975. Named in the suit were Walter Scott Taylor, Sr., Walter Scott Taylor, Jr., Carlos Eugene Waid, the Taylor and Son Company, the Taylor Coal Company, Inc., and the Drummond Coal Company, which acquired the Taylor Coal Company in 1976. Walter Scott Taylor, Sr., and Carlos Eugene Waid, who were officers of the Taylor Coal Company, were indicted on felony trespass charges in April 1980 by a Federal grand jury in connection with these and other coal trespass cases. Both men pleaded no contest to the charges. Taylor was fined \$10,000, the maximum allowed by law, and was placed on probation for 1 year. Waid was fined \$2,000 and was placed on

probation for 3 years. Richard Willcutt, who was an employee of the Taylor Coal Company and was also indicted on felony trespass charges, pleaded guilty to a reduced misdemeanor charge and was placed on probation for 3 years.

Three men were indicted by a Federal grand jury in July 1980 on misdemeanor charges involving the unauthorized mining of an estimated 763 tons of Federal coal in another Alabama case. Two of the men, Jack H. McGuire, Jr., and his brother William, were found guilty of the charges and were each fined \$1,000, the maximum under the law, and placed on probation for 1 year. The McGuire brothers owned the surface of the land from which the Federal coal was mined in the trespass. The third man, who owned the coal company that mined the coal, was acquitted.

A trespass notice and demand for payment of \$649,351 in trespass damages was sent to an Alabama man in August 1980 in connection with the unauthorized mining of an estimated 87,220 tons of Federal coal in one of the cases. No response to this notice was received, and a second notice will be sent on October 1, 1980. Civil action to recover the trespass damages will be taken if administrative action is not successful.

Investigations by BLM special agents in the remaining 16 cases are complete or are under way. After completion of an investigation, the case file and investigative report are referred to the U.S. Attorney for review and determination as to whether any criminal prosecution is warranted. If so, the U.S. Attorney institutes such action. The case is then referred to the Regional Solicitor in Atlanta, Georgia, for a recommendation as to whether the trespass should be considered willful or innocent. Based on this recommendation, the BLM takes administrative action to recover trespass damages. Civil court action is taken upon the recommendation of the Regional Solicitor and U.S. Attorney if administrative action is unsuccessful or if the amount of trespass damages or other factors warrant immediate civil court action.

The coal trespass case identified at an underground mine in Utah involved a Federal coal lessee who, apparently through a survey error, mined diagonally across the boundary of the coal lease into Federal coal on adjacent unleased land. The trespass was identified and reported to the GS by the lessee. The lessee paid \$24,945 in trespass damages for the unauthorized mining of an estimated 5,186 tons of Federal coal. The trespass was considered to be innocent based on evidence that it was the result of a survey error.

The coal trespass case identified at a strip mine in Wyoming also involved a Federal coal lessee whose mining operation strayed across the lease boundary in two separate episodes. The company reported the trespass to the GS immediately after each episode. The trespass involved about 700 tons of Federal coal. Monetary trespass damages are presently being determined.

Mineral Trespass Regulations - Revised mineral trespass regulations (43 CFR 9239.5) were published as proposed rulemaking in March 1980. These proposed regulations clarify the authority granted by existing statutes which require persons who engage in the unauthorized removal of Federal minerals to pay for damages to the mineral estate and either reclaim the lands affected or pay for the reclamation. Following a review of the comments received on the proposed regulations, final regulations were prepared and are undergoing review by the Office of the Solicitor. The BLM will revise its mineral trespass manual to conform to the revised mineral trespass regulations after the regulations become final.

Cooperative Agreements - The BLM is in the process of preparing cooperative agreements with eastern State Governments. The agreements are intended to provide a framework for cooperation in all BLM and State programs of mutual concern and will provide for an exchange of mineral resource information that will assist the BLM in its minerals management and mineral trespass detection and prevention programs. This effort is concentrated primarily in the eastern States because contact between these State Governments and the BLM has historically been minimal. The BLM has already developed cooperative agreements or other working relationships with western State Governments as a result of the long history of BLM involvement in the West.

Draft agreements, along with fact sheets describing BLM administered resources and programs within the respective States, have been sent to Alabama, Minnesota, Wisconsin, Michigan, Kentucky, and Florida. Draft agreements and fact sheets for West Virginia, Arkansas, and Louisiana were nearing completion at the end of FY 1980, and work on draft agreements for the other eastern States where BLM administers Federal land will be prepared in FY 1981. The cooperative agreement with Alabama was nearing completion at the end of FY 1980, with signature by the BLM Eastern States Director and the Governor of Alabama expected in early FY 1981.

Post Lease Management

Management of Lease Terms - The terms and conditions, including rental and royalty provisions, of 41 coal leases (See Table 3) were readjusted to conform to the requirements of FCLAA, and the diligence provisions were readjusted to conform expressly to the requirements of the DOI's May 1976 regulations. Of these, 7 have been appealed to the Interior Board of Land Appeals (IBLA) because the readjustments were made after expiration of the 20-year lease period. See the Litigation Section.

For all leases which became due for readjustment on or after June 1, 1980, notice of readjustment was given prior to expiration of the readjustment period.

Modifications - During FY 1980, four coal leases were modified to include additional lands. Twelve applications for modifications (including four filed during FY 1980) are currently being processed.

TABLE 3

NUMBER OF READJUSTMENTS AND
MODIFICATIONS DURING FY 1980
AND NUMBER OF PENDING READ-
JUSTMENTS AND MODIFICATIONS,
BY STATE: SEPTEMBER 30, 1980

State	Number Readjusted	Readjustments Pending	Number of Modifications	Modifications Pending
Alaska	0	3	0	0
Colorado	12	1/	8	0
Montana	0	1	1	1
New Mexico	3	2	0	0
Oklahoma	14	2/	6	0
Oregon	2	0	0	0
Utah	9	2/	11	3
Wyoming	1	9	0	3

1/ Includes three on appeal to the IBLA and eight unresolved protests.

2/ Includes two in Oklahoma and two in Utah on appeal at the IBLA.

SOURCE: U.S. Department of the Interior, Bureau of Land Management
Office of Coal Management

Diligence - For leases issued prior to FCLAA which have not been made, by virtue of readjustment, expressly subject to the Department's pre-FCLAA lease diligence regulations, each lessee was expressly notified that the diligence requirements apply in full to each lease. Each lessee concurring in the applicability of the diligence requirements was asked to sign and return a lease revision form. Those not concurring were encouraged to submit a written explanation of their position. In FY 1981, all responses will be reviewed and a report prepared for the Secretary. The Secretary's decision in this matter will determine any follow-up action.

The Secretary has discretionary authority to grant one extension, not to exceed five years, to the diligence requirement for pre-FCLAA leases. All issues relating to development of the pre-FCLAA leases and the specific need to define the Secretary's authority to grant such extensions have been examined. An SID has also been drafted which addresses alternatives for granting extensions to the diligence requirement. The Secretary is expected to make his decision in FY 1981.

Energy Minerals Rehabilitation Inventory and Analysis

The Energy Minerals Rehabilitation Inventory and Analysis Program (EMRIA) consists of various technical investigations which are conducted in support of the Federal coal program. In FY 1980, approximately 60 percent of the technical investigations were hydrologic, and approximately 20 percent were overburden-related. The remaining 20 percent of the EMRIA studies related to application of the unsuitability criteria, soil data collection, and interpretation as to reclaimability or the possibilities and methods for obtaining the degree of revegetation needed in land-use planning. The BLM also conducted investigations on manual development to guide specialists and managers on conducting studies pertaining to reclaimability, establishment of a data system, and training packages. A list of all of the studies conducted in FY 1980 is presented in Appendix F.

A major portion of the funds expended in FY 1980 was devoted to hydrologic and overburden inventory data collection and compilation which exceeds the required resource inventory for land-use planning. The remainder of the EMRIA program funds was devoted to analyses of the inventory data. These analyses provide support for tract delineation, for the establishment of post-mining uses of potential lease tracts, and for the development of lease stipulations.

The relationship of EMRIA studies to the needs of the Federal coal program in FY 1980 will be explained below.

Overburden Investigations - The overburden studies filled information gaps on major constituents and physical parameters in the material above the coal, most important being contaminants and nutrients (their variability, regional extent, and levels of magnitude) and soil/parent material relationships.

This information was used during activity planning in the Green River-Hams Fork, Southern Appalachian, Fort Union, Powder River, and Uinta-Southwestern Utah Federal Coal Regions. Knowledge of localized occurrences of critical overburden constituents played a valuable role in resource conflict resolution and, in developing EIS alternatives and mitigating measures, ranking tracts from an impact or reclaimability standpoint, and identifying lease stipulations.

Overall, the overburden information gives BLM at least a minimum amount of information on whether a particular tract has a chance of passing the stringent tests, mandated by law and enforced by the OSM, which dictate whether coal on Federal leases will actually be mined.

Hydrologic Investigations - The hydrologic data are divided into three categories -- site-specific, relational, and predictive.

The site-specific hydrologic data are concerned with flow, water quality, and critical basin characteristics of the small basins actually involved with a particular tract. These data, along with the relational data, were used to satisfy requirements of analyzing alternatives in the EIS's.

The relational data were collected from gaging stations in KRCRA's with a high concentration of Federal coal and a high likelihood of being economically mineable. During FY 1980, the relationships between the hydrologic regime and the coal mining/reclamation process were identified. Once these relationships were identified, they were used, together with the site-specific data of unmined basins, to predict the impacts of leasing decisions.

The last category, predictive, which uses the relational data, is used as a tool to predict the potential land-use changes. The predictive data are derived from a computer model. In FY 1980, the model, in its third year of development by GS, was used directly in the leasing decision process for the Southern Appalachian Federal coal region. In the western coal regions scarcity of rainfall data in FY 1980 has caused the model development to proceed more slowly.

Studies Conducted by the BLM

Guaranteed Access to Competitive Coal Leases - During preparation of the Federal coal program draft EIS, one major issue forwarded to the Secretary was the question of guaranteeing access to competitive coal leases. The issue was whether or not DOI should acquire assured legal access to competitive coal lease tracts prior to lease offerings. On July 28, 1978, the Under Secretary decided to maintain the status quo until the issue could be fully studied and presented for a timely decision.

A BLM study on the guaranteed access issue was conducted and completed in August 1979. The study did not provide convincing evidence that the benefits of a policy to provide guaranteed access to Federal coal leases would outweigh the costs. There was some indication that moderately increased competition could be expected and that slightly higher bids for the coal might be received. However, this was based on an analysis of competition and bidding using the past Federal coal leasing procedures rather than those of the new Federal coal program. Another benefit that could be expected from a guaranteed coal access policy would be the opportunity to develop access where it would best serve multiple-use management purposes. There is not sufficient evidence to offer multiple-use management as a reason to adopt a policy for guaranteed access to coal leases.

Measured against the limited benefits which would be derived from a general policy to obtain guaranteed access to all Federal coal leases, there are some rather significant problems and costs. For example, the specific access requirements of any given coal lease tract prior to leasing are speculative and would require substantial expenditure of money and manpower that would otherwise be the responsibility of the lessee. Access acquisition typically requires long lead times that have not been included in the current schedules for the Federal coal program implementation. Moreover, the notion of precedent cannot be overlooked. A policy of guaranteed access for coal leasing is viewed with alarm by those involved with oil and gas leasing and other forms of mineral development.

Despite the conviction that a general policy for guaranteed access for coal leasing is inappropriate, there may be occasions when guaranteed access would facilitate special leasing situations such as unitized sales where two or more coal owners in a checkerboard ownership pattern lease their coal jointly to a single lessee. Competition may be stimulated in this situation if access is assured in advance.

Kaiparowits Coal Study - The Kaiparowits Coal Development and Transportation Study was completed in FY 1980. This study, which began in late FY 1979, identifies and analyzes major environmental and socio-economic impacts of coal production and transportation from the Kaiparowits Plateau on National Parks, National Forests, and public and State lands in southern Utah. The study is intended to be used for planning purposes by presenting potential impacts objectively and makes no value judgments about the desirability of coal development or the acceptability of impacts.

The study was prepared under a contract issued by the BLM and was guided by a joint Federal-State steering committee composed of representatives of the BLM, the National Park Service (NPS), the FS, agencies of the State of Utah, and local governmental bodies. Preparation of the air quality portion of the study was funded and guided by the NPS. The socio-economic portion of the study was prepared under a contract issued by the State of Utah.

Social Effects Contract - The BLM let a contract to Mountain West Research Incorporated during FY 1980 to study the sociological effects of coal development in the West. This study is expected to continue until mid-1982.

Specifically, this study is intended to be the first large-scale effort in BLM to develop data on, and guidance for, social rather than socio-economic impact assessments. It is intended to place strong emphasis on breaking the communication barrier between social scientists and decisionmakers by responding to the information requirements specified by State and Federal decisionmakers on the RCT's. The ultimate product of this endeavor will be a sociological analytical guidebook for analysts and decisionmakers.

GEOLOGICAL SURVEY

The two major coal-related activities of the GS during FY 1980 were the efforts for the Coal Exploratory Program and for the lease supervision. Closely related activities also included assisting the BLM in the preparation of the LUP's, SSA's, and EIS's and leading the tract delineation teams.

The Coal Exploratory Program consists of environmental and coal resource assessments on a regional level as well as a more detailed local level. Much of the data derived from these assessments and studies are entered into the National Coal Resource Data System (NCRDS), a computer-based resource data system, and are used to directly support the Federal coal program. In addition to these data collection activities, the GS is responsible for the supervision of Federal coal leases, the assessment of Federal coal trespass cases, and delineation of potential lease tracts during the coal activity planning process.

A description of these FY 1980 activities is presented in this section.

Coal Exploratory Program

Regional Environmental and Coal-Resource Assessment Activities - In FY 1980, regional assessment activities included preparing bedrock and surficial geology maps, conducting engineering geology and geologic hazard and geochemistry studies, drilling, and assessing coal resources. These data are compiled into folios with maps at a scale of 1:100,000. In support of the Federal coal program, emphasis was placed on completing the coal folios, along with topographic base map coverage, in the western Federal coal regions.

Regional assessments are carried out on a continuing basis from year to year and may require as many as 3 years to complete. During FY 1980, these studies provided 6 bedrock geologic maps, 18 surficial geologic maps, 8 geologic hazard maps, 90,000 feet of core drillings, 115,000 feet of geophysical loggings, and 31 reports and 6 maps on coal resources. Geochemistry studies for the Powder River and San Juan River Federal Coal Regions were also completed. Numerous other data were entered into the NCRDS.

Detailed Coal Evaluation Activities - Detailed coal evaluation activities are involved primarily with the analysis of certain areas for the classification, delineation, and tract evaluation required for the Federal coal program. In FY 1980, the regional assessments, detailed drilling programs, and site-specific studies provided the data for the preparation of KRCRA maps, CRO/CDP maps, and leasable mineral and waterpower land classification maps which were used in the tract delineations and evaluations.

Known Recoverable Coal Resource Area Classifications - Areas where coal data are sufficient to determine the extent, depth, thickness, quality, and potential for development are classified as KRCRA's. The coal resources within the KRCRA's and within land-use planning areas are further classified by GS according to their development potential. The determination is based on whether the coal resources are of sufficient quality and quantity to be economically mined or are likely to become so over the life of the LUP. The areas with coal resources identified as having high and moderate development potential will be further analyzed in the land-use planning process. During FY 1980, 8 new or revised KRCRA's were defined, adding 1,827,139 acres of land to that already classified. Thus, at the end of FY 1980, there was a total of 63 KRCRA's covering 22,473,477 acres of land.

Coal Resource Occurrence/Coal Development Potential Mapping - Detailed coal evaluations in the form of CRO/CDP maps (1:24,000 scale) provide information on Federal coal resources to be used during land-use planning for screening high to moderate coal potential areas. The CRO/CDP maps depict the location, quantity, depth, thickness, and characteristics of the Federal portion of each mineable coal bed as well as thickness of overburden and interburden.

In FY 1980, a decision was made to phase-out the CRO/CDP Program. The GS is now emphasizing the coal folio mapping which results from the regional assessment activities and the NCRDS as the vehicle for providing data to be used in land-use planning inventories.

Leasable Mineral and Waterpower Land Classification Maps - These maps are prepared at 1:250,000 scale and show the extent of various mineral and waterpower withdrawal and classification actions, some of which preclude leasing on Federal lands. During FY 1980, 18 maps were completed and open-filed, and 9 maps were pending publication.

Tract Delineation - The GS used the results of the detailed evaluations to identify areas which have been cleared by the surface management agencies for further consideration and to delineate those areas into potential lease tracts. For each tract, the GS provides reports that form the basis of subsequent site-specific environmental studies conducted by the BLM. Tract delineation was completed in FY 1980 for the Green River-Hams Fork, Uinta-Southwestern Utah, and Southern Appalachian Federal Coal Regions. Tract delineation efforts are scheduled in the Powder River, Fort Union, and Western Interior Federal Coal Regions in FY 1981.

Tract Evaluation - Each Federal coal tract scheduled for lease sale is evaluated to determine its FMV. On May 28, 1980, the Secretary designated the GS solely responsible for conducting evaluations which determine the FMV and minimum acceptable bids for Federal coal leases. The pre-sale evaluations are based on geologic and engineering factors, market conditions, and comparable sales; are compiled in a economic site-specific report; and are utilized to make a FMV determination.

Activities during FY 1980 were concentrated on calculating the FMV for proposed areas being considered for leasing under the emergency leasing criteria and for Congressionally approved lease exchanges. During FY 1981, the economic evaluation capability of the GS will be expanded in order to evaluate tracts to be offered for sale under the Federal coal program.

During FY 1980, the GS commenced its assessment of the relative economic values of Federal coal in the Kaiparowits and Wasatch Plateaus in Utah for possible exchange of PRLA's held by Utah Power and Light Company. These PRLA's in the areas in Southern Utah may be exchanged for coal leases in Central Utah. This work will continue in FY 1981.

Water Resources Activities - A continuous activity which provides detailed data to support the Federal coal program is the collection of water data. Information from stations, as well as water data from many other Federal, State, and local sources, is catalogued in the GS's National Water Data Exchange System (NAWDEX). An index is being prepared showing the location of the coal fields, the drainage basins, the station or measurement locations, and description of the kinds of data contained in the NAWDEX system for each location. During FY 1980, hydrologic assessment reports for the Northern Great Plains and a portion of Alabama were prepared.

Lease Supervision

Lease Management - For Federal lands, the GS has the responsibility to:

- 1) Supervise production and resource recovery of coal mining operations;
- 2) Review and concur with mining plans and exploration plans in an approved mining permit area to establish production and coal resource recovery requirements;
- 3) Approve exploration plans and provide NEPA compliance and supervise exploration either under an exploration license or on a lease outside an approved mining permit area;
- 4) Make geologic, engineering, and MER determinations for coal-related actions of the DOI, such as establishing LMU's and monitoring diligent development and continued operations; and
- 5) Maintain the rental and royalty collection and accounting system.

In FY 1980, the GS continued to monitor the coal operations in 15 States, including Alaska, Alabama, Kentucky, Washington, and Oregon as well as the major coal-producing States of the Rocky Mountain and Northern Great Plains. During FY 1980, the GS conducted site inspections of Federal lands, coal leases, permits, and mines in support of the GS's responsibilities under the Mineral Lands Leasing Act of 1920, as amended. Table 4 provides information on the number of coal inspections in FY 1980.

TABLE 4
COAL INSPECTIONS ON FEDERAL LANDS: FY 1980

Activity	GS Administrative Regional Office					
	All Offices	North Central	Central	South Central	Eastern	Western
Total	1233	320	750	136	12	15
Producing Surface Mining	508	244	141	113	-	10
Producing Underground Mines	375	11	358	-	6	-
Active Lease Permit	178	39	123	11	-	5
Inactive Lease Permit	51	-	36	9	6	-
Technical Exams	41	14	24	3	-	-
Abandonment and Reclamation	69	12	57	-	-	-
Other	11	-	11	-	-	-

SOURCE: U.S. Department of the Interior, Geological Survey, Conservation Division, unpublished data.

Federal Coal Trespass Assessment - The GS is responsible for determining a dollar valuation of the coal that was mined or lost in mining on all tracts where trespass has been verified. Of the tracts where trespass was verified in FY 1979, the GS estimated the dollar valuation of 11 of them. The remaining nine will be completed in FY 1981.

Federal Coal Royalties Collection - The GS is responsible for collecting the royalty payments for the Federal coal leases. During FY 1980, \$24.6 million of Federal royalty were billed on a coal production value of slightly over \$862 million. The Federal royalty payments for each State are identified in Table 5. With the exception of Alaska, 50 percent of the royalties is returned to the State Treasury, 40 percent is placed in a Federal reclamation fund that was established by the Reclamation Act of 1902, and 10 percent remains in the U.S. Treasury's miscellaneous receipts.

TABLE 5

FEDERAL COAL PRODUCTION VALUE AND ROYALTY PAYMENTS, BY STATE:
FY 1980

State	Coal Production	Production Value(s)	Royalty Value(s)
	(tons)		
Total	71,958,165	\$862,816,613	\$24,568,692
Alabama	27,780	791,715	31,669
Colorado	8,562,682	161,499,595	7,115,564
Kentucky	9,219	270,746	10,830
Montana	10,345,255	93,572,897	2,065,885
New Mexico	6,546,224	82,228,476	1,472,900
North Dakota	1,418,129	6,507,412	272,272
Oklahoma	299,599	12,557,579	826,942
Utah	8,618,415	200,641,560	3,968,073
Wyoming	36,130,862	304,746,633	8,804,557

NOTE: These royalty data represent the amount billed in FY 1980, not the actual amount collected.

SOURCE: U.S. Department of the Interior, Geological Survey, unpublished data.

The Federal royalties amounted to 3 percent of the production value. The difference between this value and the present minimum royalty requirement of 12.5 percent for surface-mined coal results from production taking place on leases issued before the DOI converted from a fixed cents-per-ton royalty to a percent ad valorem royalty provision. The fixed cents-per-ton royalty provisions, which were frequently set at between 17.5 and 22.5 cents per ton, cannot be changed until the readjustment period of a lease is reached. The amount of money collected under a cents-per-ton royalty does not increase as the value of the coal production increases. During the 1970's, the DOI shifted to percentage ad valorem royalties which provide that royalty payments to the Federal Government will increase as the value of the coal increases. Conversely, the Federal Government will share the risk with the lessee, receiving in absolute terms less royalty money should the future price of coal decrease. The percentage type of royalty provision was adopted in the FCLAA and the percentage of Federal royalties as compared to the production value has increased every year since. Federal royalties increased from 2.2 percent of the production value in FY 1978 to 3 percent in FY 1980.

Other Federal Coal Program Support Activities

Land-Use Maps - The GS prepared land-use and land-cover maps that provide support information for the Federal coal program. As of the end of FY 1980, 33 of these maps were completed for the western Federal coal regions. In FY 1981, high priority will continue to be placed on land-use maps of these Federal coal regions.

Site-Specific and Regional EIS's - During FY 1980, the GS initiated two site-specific EIS's on coal mining activity to assist the OSM. The Rojo Caballos EIS (Wyoming) was initiated in February 1980, and the draft EIS was completed and filed in September 1980. The La Ventana EIS (New Mexico) was initiated in late September 1980 and is expected to be published as a draft EIS in FY 1981. The GS also provided major technical and editorial support to the OSM on the combined petition evaluation document/EIS on the southern Utah petition to designate lands unsuitable. The draft document was completed and filed in September 1980.

During FY 1980, the final EIS for the Northern Powder River Basin in Montana was completed and filed with the EPA. This EIS was prepared jointly by the Montana Department of State Lands and the GS.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

The primary objective of OSM is to protect society and the environment from the adverse effects of surface coal mining operations and to do so under conditions of expanded coal production consistent with the Nation's need for energy. The OSM's principal roles relative to Federal lands are: 1) to define policy and promulgate rules and regulations establishing performance standards and program administration processes; 2) to review and process permit applications and mining plans, including such activities as are necessary for NEPA compliance, and recommend action to the Secretary on mining plans; 3) to negotiate Federal/State cooperative agreements for State regulation on Federal lands pursuant to section 523(c) of the SMCRA; 4) in the absence of a Federal/State cooperative agreement, to carry out the permitting, inspection and enforcement, and other functions of the regulatory authority as set forth in the SMCRA; 5) to provide oversight of State administration of the regulatory requirements under the terms of an approved Federal/State cooperative agreement; and 6) to administer a program to designate Federal lands unsuitable for surface coal mining under the petition process specified in sections 522(a) and (c) of the SMCRA.

Surface Mining Regulations

The environmental protection provisions of the SMCRA have been enacted in two phases in accordance with sections 501 and 502 -- the initial program and the permanent program. The initial program has been in effect since December 13, 1977, when the Secretary promulgated interim program rules (30 CFR Part 710-725 and 795). The permanent program will become

effective in each State upon Secretarial approval of a State program or implementation of a Federal program within the State. If a State program is approved, the State rather than the Federal government will be the primary regulator of activities subject to the SMCRA. During FY 1980, two States received approval, five States received conditional approval (only very minor changes required), and six States received partial approval from the Secretary. Only two State programs were disapproved, and these may be resubmitted for further consideration in 1981.

Petitions to Designate Areas Unsuitable for Surface Coal Mining

On April 12, 1979, the effective date of the permanent regulatory program, Federal lands became subject to the petition process to designate Federal lands unsuitable for surface coal mining operations. On November 28, 1979, the OSM received its first complete petition. The petition requested OSM to designate certain Federal lands near Bryce Canyon National Park and Dixie National Forest in Southern Utah (Alton Coal Field) as unsuitable for coal mining. The petitioners alleged that 1) the lands in question could not be reclaimed in accordance with the requirements in the SMCRA 2) surface coal mining operations could result in significant damage to important historical, cultural, scientific, and aesthetic values, and 3) such operations could result in a substantial loss of water supply or food or fiber products, including damage to aquifer recharge areas of renewable resource lands.

On April 24, 1980, the OSM published a notice of its intent to prepare a petition study document that would meet the requirements of the NEPA and the SMCRA. A scoping meeting was held May 6, 1980, at Kanab, Utah, to discuss the allegations of the petition and to obtain citizen input. The draft NEPA/SMCRA document was made available to the public on September 12, 1980. Public hearings on the draft document were conducted in Kanab and Panguitch, Utah, on September 29-30, 1980. The Secretary's decision on the petition is scheduled for December 1980.

The second unsuitability petition was received on April 24, 1980, by the OSM from the West Virginia Highlands Conservancy. The petition requested the OSM to designate certain Federal lands within the Monongahela National Forest, located in the watershed of the Shavers Fork River from Cheat Bridge in Randolph County to Parsons in Tucker County, West Virginia. The petitioner alleged that 1) coal mining activities will endanger the water quality of the area, 2) that coal mining operations could result in significant damage to important historic, cultural, scientific, and aesthetic values, and 3) that such operations could adversely affect the various recreational uses of the National Forest. The OSM held a public hearing on August 12, 1980, at Elkins, West Virginia, in order to elicit information and input from the public on the range of issues raised by the petitioner. During September 1980, OSM found

that the Mower Lumber Company had valid existing rights ^{7/} in a portion of the petition area. The OSM is now analyzing the available data and information to determine the impact of surface coal mining operations on the subject area.

Federal/State Cooperative Agreements

The administration of most of the SMCRA requirements for the Federal lands program may be delegated by the OSM to States through cooperative agreements. By means of such agreements, State regulatory authorities enforce the requirements of the SMCRA on Federal lands. Certain responsibilities that cannot be delegated to the States are retained by the Secretary.

During FY 1980, modified cooperative agreements with New Mexico and North Dakota for the initial regulatory program were approved. Montana, Utah, and Wyoming also continue to administer the initial program for Federal lands under modified cooperative agreements approved in 1979. In July 1980, OSM published a proposed rule in the Federal Register concerning its intent to adopt a permanent program cooperative agreement in Wyoming. A similar notice was published in September 1980 for Montana's proposed agreement. Processing of the requests for permanent cooperative agreements with Utah and Texas have begun. The OSM expects that most other States with coal development on Federal lands will request cooperative agreements under the permanent program.

Mining Permits/Mining Plan Review

In 1980, OSM faced a heavy workload of reviewing mine plans of surface and underground coal mine operations on Federal lands. At the beginning of 1980, OSM had 50 mining plans on hand for review under the initial program. During the year, 17 more were received. Thirteen were approved during the year by the Secretary and four by the OSM Region V, Regional Director. The permanent program on Federal lands (30 CFR 741 et. seq.) becomes effective in each State on the date of the approval of each State program. Plans and applications under the permanent program are being jointly reviewed by the OSM and the States. It is expected that States with approved permanent program cooperative agreements will undertake a significant amount of responsibility for the technical/environmental review of mine plans in future years.

Inspection and Enforcement

Inspection and enforcement activities on Federal lands are carried out under two separate procedures. In States having approved Federal/State cooperative agreements, inspection of surface mining activities on Federal lands is the responsibility of the designated State regulatory

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See 30 CFR 761.5 for definition of valid existing rights.

authority (SRA). The OSM, however, maintains an oversight function to ensure that the SRA fully exercises its delegated responsibility under the cooperative agreement. In States not having an approved Federal/State cooperative agreement, the required inspection and enforcement activities are carried out by OSM's inspection and enforcement personnel.

FISH AND WILDLIFE SERVICE

Among Congressional findings and declarations set forth in the SMCRA is recognition of the risk of loss of fish and wildlife and their habitat due to coal mining. Development of the Nation's coal resources must be done in a manner which is consistent with meeting national energy goals and which minimizes fish and wildlife losses. This requires the provision of high quality fish and wildlife data to appropriate decision points in energy development programs. Thus, the FWS is also placing emphasis on developing, providing, and analyzing fish and wildlife data to determine the most acceptable means of development and resource protection.

The long-range goal of the FWS effort is to minimize fish and wildlife resource losses and maximize utilization of habitat enhancement opportunities in Federal coal programs by ensuring that fish, wildlife, and their habitat are adequately considered in coal mining decisions.

The FWS has both research and operational coal programs.

Principal participants in the FWS research efforts are the Western Energy and Land-Use Team in Fort Collins, Colorado, and the Eastern Energy and Land-Use Team in Leetown, West Virginia, with programmatic guidelines coming from the coal project of the Office of Biological Services in Washington, D.C.

The coal operations program is implemented by the FWS regions with programmatic guidance coming from the Branch of Coal and Mineral Operations of the Division of Ecological Services in Washington, D.C.

Increasing demands for development of the Nation's coal resources as well as population growth into relatively pristine areas have expanded the FWS's role as guardian of fish and wildlife resources.

During FY 1980, the FWS implemented a coal operations program through its Ecological Services' Field Offices with data support from its Western Energy and Land Use Team, Migratory Bird Management Office, and Division of Wildlife Research. The FWS provided information, data and technical assistance to the BLM in a manner that helped facilitate the planning and implementation of the Federal coal program in an environmentally acceptable manner.

Coal Operations

The FWS fully participated in BLM's land-use planning process by concentrating its efforts on: 1) RMP's and initial inventory studies; 2) MFP amendments; 3) site-specific EIS reviews; and 4) activity planning associated with the Regional Coal, Tract Delineation, and EIS Support Teams. In addition, FWS biologists provided technical assistance to the BLM and/or the OSM in the review of PRLA's, exchanges, lease modifications, lease readjustments, emergency lease and exploration license applications and mining and reclamation plans.

The FWS chaired a Departmental task force which prepared an issue paper on proposed options for wetlands criteria to determine lands unsuitable for mining. Through its Office of Biological Services, FWS is in the process of conducting a wetlands inventory in certain North Dakota coal fields so that the criterion can be field tested and evaluated during FY 1981. The FWS also participated on a task force led by the BLM that developed the "Final Guidelines for Consultation During Application of the Unsuitability Criteria for Wildlife." These guidelines are presently being used by BLM and FWS biologists involved in coal leasing activities.

In cooperation with BLM, the FWS's Migratory Bird Management Office and Division of Ecological Services developed lists of "Migratory Birds of High Federal Interest" for each Federal coal region and issued guidelines on Unsuitability Criterion No. 14 to FWS Regional and BLM State Offices. These guidelines provided the rationale on how and why, from a national perspective, certain migratory birds were listed as high interest species. The guidelines also reviewed the migratory bird lists for each Federal coal region and indicated the criteria used for each bird species.

Inventory Data Collection

The FWS's Division of Wildlife Research concluded its black-footed ferret (endangered species) searches in Rock Springs KRCRA (Green River-Hams Fork Federal Coal Region) and is in the process of conducting studies related to populations, habitat requirements, and threshold disturbance levels by coal region for four migratory bird species of high Federal interest (ferruginous hawk, prairie falcon, merlin, and burrowing owls). Completion of these studies will aid BLM and FWS biologists in applying Unsuitability Criterion No. 14 to various coal leasing activities. In addition, research personnel are collecting wildlife data for the BLM on 13,950 acres in the Uinta-Southwestern Utah Federal Coal Region for use in applying coal Unsuitability Criteria Nos. 9, 11, 12, 13, and 14 on two PRLA's. See Appendix B for a list of Unsuitability Criteria. During FY 1981, the FWS plans to conduct inventories for eagles and raptors in the Green River-Hams Fork Federal Coal Region and literature searches and/or threshold opinions on approximately 30 species of migratory birds of high Federal interest.

Rapid Assessment Methodologies

The extensive fish and wildlife resources which occupy Federal coal lands and the potential conflict with coal development require rapid data generation, handling, and analyses to address multiple land-use objective planning. In response to this need, the FWS, through the Office of Biological Services, developed a variety of remote sensing and computer tools known as the Rapid Assessment Methodologies (RAM) that are designed to assist planners and decisionmakers in evaluating land development impacts on fish and wildlife. The analyses and information provided by the RAM form the cornerstone for FWS recommendations on coal leasing issues. Incorporation of the recommendations will minimize fish and wildlife losses and maximize habitat enhancement opportunity while enabling coal development to meet national production goals.

The FWS plays an especially important role in the Federal coal program by providing the information and analyses needed to allow Federal planners to direct coal activities away from sensitive environmental areas, thus avoiding costly time delays due to challenges from the environmental community.

During FY 1980, the FWS funding levels restricted application of the RAM to the Powder River Federal Coal Region in Montana and Wyoming. On April 14, 1980, members of the Powder River RCT voted unanimously to approve the use of the RAM in future coal activity planning. As a result, several coal tract maps for the Highlight and Gillette Review Areas have been entered into the RAM system. These maps complete data needs for analyses and map production on site-specific profiles. The profiles will likely satisfy the basic data needs for tract ranking and selection. In addition, to the above work, data entry of FS data on five PRLA's in the Thunder Basin National Grasslands was completed.

DEPARTMENT OF ENERGY

Coal Production Goals

In FY 1980 DOE began updating the coal production goals to insure that the regional leasing targets which are based on these goals are responsive to changing national and regional coal demand, supply and market conditions, and national energy needs and policies. High, medium and low preliminary coal production goals for 1985, 1990, and 1995 were prepared and published in a Federal Register notice on September 5, 1980, at which time the DOE requested public comment.

The preliminary national goals (medium) are 962.6 million tons for 1985, 1.375 billion tons by 1990, and 1.717 billion tons by 1995. The goals are based on estimated demand for coal by the electric utility, industrial, synthetic fuel, and export sectors of the economy.

In accordance with the Federal coal program regulations (43 CFR 3420.3-2), the DOE provided its preliminary production goals to the DOI for a 60-day review. In its review the DOI is considering its responsibility for the management of natural resources, the capabilities of Federal coal to meet the proposed goals, and the national need for coal resources balanced against the environmental consequences of developing these resources.

The DOE's final production goals, which consider the DOI's and public comments, are scheduled to be issued in early FY 1981. These goals are to be used by the RCT's to establish regional leasing targets.

Proposed Rulemaking on the Bidding Systems

On July 18, 1980, the proposed rules for bidding systems were published in a Federal Register which opened for a formal comment period. These proposed rules would establish bidding systems and procedures for use in Federal coal lease sales. The proposed rules offer royalty bidding, bonus bidding with sliding scale royalty, and intertract competition procedures as alternatives to the existing cash bonus/fixed royalty bidding system. These systems would establish the methods by which parties will compete for Federal coal leases and methods by which successful bidders will pay the Federal Government for the leases.

Comments on the proposed rulemaking were received from the DOI, other Federal agencies, and industry and were generally unfavorable to the royalty bidding and bonus bidding with sliding scale royalty, both of which were perceived as being inflationary. Hearings on the proposed bidding systems rules were scheduled in Denver and in Washington. Because of an insufficient number of requests to speak at the hearings, they were cancelled. The Washington hearings were rescheduled and held on September 23, 1980.

Publication of the final regulations is tentatively scheduled for November 1980.

DEPARTMENT OF AGRICULTURE - FOREST SERVICE

The USDA, through the FS, is currently initiating development of regional and forest-specific management plans to be completed by 1985. These plans, developed pursuant to the National Forest Management Act, are similar to the LUP's done by the BLM and prescribe options for the management of resources within the National Forest boundaries. In FY 1980, management plans were initiated of the Manti-LaSal, Fish Lake, and Dixie National Forests. As part of the planning effort, the FS began developing SSA's for the PRLA's in the Thunder Basin National Grasslands in Wyoming. The FS also completed an environmental analysis of the Ryan's Creek coal lease application in the Daniel Boone National Forest in Kentucky.

An MOU between the USDA and the DOI was signed in FY 1979. This MOU delegated the authority, as part of the Federal lands review, to apply the unsuitability criteria and conduct surface owner consultation for lands within National Forest boundaries. In FY 1980 this review, carried out principally through the land management planning process, began to assess, as required by section 522 of the SMCRA, whether lands within the National Forest Systems are suitable for surface coal mining. It involved use of the 20 unsuitability criteria listed in Appendix B.

INTERAGENCY COORDINATION AND ACTIVITIES

During FY 1980, various agencies were involved in refining and implementing the Federal coal program, as well as maintaining the ongoing projects. Much of the involvement requires formal coordination among several agencies to promote harmonious and efficient work efforts. The formal coordination and/or arrangements were established in MOU's or memoranda of agreements (MOA's) that are carried out through interagency committees.

In this section the status of MOU's that were drafted, negotiated or signed in FY 1980 is summarized (see Table 6), the interagency coordination committees are described, and the activities and studies conducted as interagency efforts are presented.

INTERAGENCY COORDINATION COMMITTEES

As a means of achieving a high level of effective interagency coordination, several bureaus and offices participate in interagency coordination committees. Some of the coordination committees identify and resolve interagency problems in all program areas where there is shared or related responsibilities. The BLM/GS, BLM/FWS, and OSM/GS coordination committees, which focus on all program area problems, have established subcommittees to address specific coal-related problems. Other coordination committees focus on only the coal-related responsibilities. These coordination committees, BLM/OSM and BLM/FS, along with other committees have become an integral part of the Federal coal program.

These committees have been formally established through individual agency agreements and/or MOU's agreed on by the agencies. The MOU's have outlined specific detail of the function of each of the agencies within each committee and/or subcommittee.

INTERAGENCY ACTIVITIES IN FY 1980

During FY 1980, various studies and/or activities were conducted that required the involvement of several agencies. The results of these efforts were used to refine and improve the Federal coal program. The major interagency efforts in FY 1980 will be described in this section.

Fair Market Value

On May 28, 1980, the Secretary of the Interior announced policies by which the DOI would determine the FMV and minimum acceptable bids for leases to be offered from its western coal holdings.

TABLE 6

STATUS OF MAJOR MEMORANDA OF UNDERSTANDING AND MEMORANDA OF
AGREEMENT RELATING TO THE FEDERAL COAL
PROGRAM: SEPTEMBER 30, 1980

Type	Subject	Agencies Involved	Status	Date of Original Agreement
MOU	Establishment of an interagency committee for program coordination	OSM, GS	Completed	June 1978
MOU	Establishment and use of production goals for Federal energy resources	DOI, DOE	Completed	September 1978
MOU	Consideration of fish and wildlife resources in the Federal coal program	BLM, FWS	Completed	October 1978
MOU	Establishment of the RCT and coordination procedures Federal coal program responsibilities for each agency	BLM, Colorado and Wyoming Governors BLM, GS, OSM	Completed	October 1979
MOU	Establishment of the RCT and coordination procedures	BLM, Utah and Colorado Governors	Completed	November 1979
MOU	Establishment of the RCT and coordination procedures	BLM, Alabama Governor	Completed	November 1979
MOA	Access to the Automated Coal Lease Data System	BLM, DOE	Completed	December 1979
MOU	Establishment of the RCT and coordination procedures (San Juan)	BLM, New Mexico and Colorado Governors	Completed	March 1980
MOU	Establishment of the RCT and coordination procedures (Denver-Raton Mesa)	BLM, Colorado and New Mexico Governors	Completed	March 1980
MOU	Establishment of the RCT and coordination procedures	BLM, Wyoming and Montana Governors	Completed	April 1980
MOU	Establishment of the RCT and coordination procedures	BLM, Montana and North Dakota Governors	Completed	April 1980
MOU	Small business set-aside program	BLM, SBA	Completed	May 1980
MOU	Land-use planning on the National Forest System	BLM, FS	Amendment Drafted	
MOU	Establishment of the RCT and coordination procedures	BLM, Oklahoma Governor	Completed	May 1980
MOA	Establishment of pre-leasing coordinations procedures	DOI, BLM, OSM, GS, Advisory Council on Historic Preservation	Completed	May 1980
MOU	Coal Research and Operations Program	OSM, FWS	Completed	June 1980
MOU	Application of RAM in Chaco-San Juan Planning Unit (NM)	BLM-NM, FWS	Completed	September 1980
MOU	Procedures for consultation with Indian tribes	BLM, BIA	Negotiated	

TABLE 6-CONTINUED

Type	Subject	Agencies Involved	Status	Date of Original Agreement
MOU	Procedures for consultation on the rules and regulations concerning coal leasing	DOI, DOJ	Negotiated	
MOU	Abandoned Mine Lands	BLM, OSM	Negotiated	
MOU	Land and lease exchanges involving Federal coal resources	BLM, GS	Drafted	
MOU	Interagency cooperation in administering and enforcing SMCRA	OSM, FS	Drafted	
MOU	Interagency cooperation in administering and enforcing SMCRA	OSM, TVA	Proposed	

The new policies initially will be implemented during the FY 1981 lease sales for the Green River-Hams Fork coal region in northwest Colorado and southwest Wyoming. Two principal appraisal approaches to be used for evaluating leases are to be used--comparable sales and discounted cash flow (DCF) analysis. In the past, DCF analysis was the preferred approach for pre-sale evaluations due to a perceived lack of information on comparable sales. The Secretary approved the use of comparable sales methods on an equal footing with DCF analysis in pre-sale evaluations.

Under the new policy, "small" tracts, i.e. those that can only be developed at high cost if mined alone, will be leased at pre-determined prices and not evaluated on a case-by-case basis. "Large" tracts i.e. those capable of supporting operations of sufficient size to be operated profitably alone will be evaluated individually prior to lease. Minimum acceptable bids per ton of coal will generally be lower for "small" tracts. Because land ownership patterns show intermingled or checkerboard Federal, State, and private holdings, a significant number of tracts proposed for Federal coal lease sales may fit into the "small" tract category.

"Small" tracts will be sold initially for minimum bonuses of \$25 an acre at a royalty rate of 12 1/2 and 8 percent for surface and underground coal, respectively. These minimum levels will be studied at six-month intervals to ensure that they fulfill DOI's obligation to receive FMV.

For "large" tracts, the Secretary concluded that both comparable sales and DCF analysis should be performed. The minimum acceptable bids would be determined from the larger of the comparable sales or DCF analysis values, but not less than a bonus of \$25 an acre at a royalty rate of 12 1/2 percent for surface and 8 percent for underground coal.

Overall responsibility for determining FMV has been assigned to the GS. Previously this responsibility was shared with BLM. The BLM will continue to award leases based on GS recommendations. Opportunities for public comment on preliminary tract values will be announced prior to lease sale.

Multiple Minerals Planning Management

Because development of oil and gas reserves may lead to conflicts with coal development, or vice versa, when both occur in the same or adjacent areas, the GS and the BLM have drafted a joint policy statement and specific procedures and agency responsibilities for resolving or minimizing such conflicts. While the policy statement and procedures are being completed, the two agencies have adopted an interim policy for resolving this type of development conflict.

It is the interim policy of the two agencies to: 1) implement the coal leasing program without unduly interfering in the exploration or production of oil and gas; 2) facilitate coal leasing in lands producing oil and gas or having potential for oil and gas production under the concept of multiple resource development of Federal lands; 3) make development decisions on a case-by-case basis allowing for general public and industry input; and 4) cooperate on procedures regarding multiple mineral development. The standards and requirements of the planning regulations (43 CFR Part 1600) will be used for identifying, resolving, and mitigating oil/gas and coal development conflicts.

Coal Lease Form Revisions

The standard Federal coal lease form, which when signed by an authorized official of BLM and the successful bidder at a coal sale, becomes a contractual agreement between the two parties.

A revision of this form was drafted in FY 1980 to incorporate the requirements of the current laws and regulations affecting Federal coal leasing including the responsibilities of the various agencies. A major change in the form is the inclusion of the responsibilities of the OSM.

Public comment on the revised form will be sought in FY 1981 prior to using the form in the Federal coal program.

Unsuitability Criteria Studies

During FY 1980, the DOI studied two potentially new unsuitability criteria (clean air and sole source aquifers) and restudied options for a wetlands unsuitability criterion. The clean air, sole source aquifer, and wetlands unsuitability studies were led by the BLM, the GS, and the FWS, respectively. After the studies were reviewed within the DOI, the Secretary made his decisions on the proposed criteria.

A decision was made not to adopt a clean air criterion since air quality impacts for coal development tend to lend themselves to threshold situations rather than a clear-cut unsuitability situation. In lieu of a clean air criterion, the BLM is reviewing its planning system so that air quality consideration procedures are developed or reinforced where appropriate.

It was also decided that no sole source aquifer criterion should be adopted due to the lack of EPA-designated sole source aquifers in the Federal coal regions.

Lastly, a decision on a wetlands criterion was deferred until the FWS develops National Wetlands Inventory Maps in the North Dakota portion of the Fort Union Federal Coal Region. This location is apparently the most likely western area in which wetlands criterion problems may arise. After the development of these maps, a wetlands criterion field test will be conducted based on the data contained in the maps. A Departmental decision on a wetlands criterion will be made after the results of the field tests are analyzed.

Guidelines for Unsuitability Criteria

The BLM, in conjunction with the FWS, developed guidelines for the consultation processes associated with the various unsuitability criteria and specific guidelines for the wildlife-oriented criteria.

The major interagency coordination during the development of these guidelines occurred with the wildlife criteria. The BLM worked jointly with the FWS to develop coal regional lists of "high Federal interest" migratory birds and a definition of their "high priority habitat" as required by Criterion 14. The species lists and habitat definition were provided to both BLM and FWS field personnel for their use in unsuitability criterion applications. Consultation guidelines for all of the wildlife criteria (criteria 9 through 15) were developed by the BLM with detailed input from the FWS.

Proposal for Federal-Private Cooperative Coal Leasing

A DOI task group conducted a study on the various possibilities for combining, prior to a lease sale, Federal and non-Federal coal lands into tracts to be offered for lease as single units. The concurrence of the

owners of the non-Federal lands would be required. The task group proposed that the term "Federal-private cooperative leasing" or simply "cooperative leasing" be used. Several methods for this cooperative leasing approach were identified.

One of the simplest proposals for administering cooperative leasing in the checkerboard case is to have the private owner and the Federal Government agree on a sharing rule and then have the private owner lease its land to the Federal Government giving written permission to sub-lease. If agreed to by both parties, potential LMU's could be offered for sale by the Federal Government on a competitive basis with the revenues from the Federal lease being divided according to the agreed upon sharing rule. This arrangement, however, might require legislation giving the DOI authority to lease privately owned land.

Another proposed alternative arrangement is to have competitors bid at a simultaneous sale separately on each portion of the LMU. An agreement would be needed whereby the winning bidder would lease the Federal Government's land and the private land separately but at or above a price determined by a specified sharing rule and the level of the winning bid for the total LMU. Simultaneous auctions appear too cumbersome, however.

A third method would be to conduct a single auction for the Federal coal and for the right to sign a presale lease agreement with the private owner. The private owner, however, would not assign any rights to the Federal Government. The private owner would instead agree to accept the results of the Federal sale to determine the value of the coal. This alternative was the preferred alternative of the task group. This proposed method will be presented to the public for comment.

Discussions between the DOI and the potential cooperating private coal owners are expected to commence in FY 1981. A draft of a proposed cooperative agreement which, in a modified form, could serve as a starting point for negotiations with a private coal owner will be prepared. This modified agreement is intended to be used in the 1981 sales in the Green River-Hams Fork Federal Coal Region. The current draft has been kept simple. If it proves workable in the Green River-Hams Fork Federal Coal Region, the DOI expects to use it in other regional sales. However, the task group is also continuing to study issues such as:

- Whether bidding should exclude the owner of the private coal, or subsidiaries, affiliates, or joint ventures of the private owner;
- What types of bidding methods, instead of bonus bid/fixed royalty, should be used.
- How should the proposal be modified in cases where the surface ownership differs from the coal deposit ownership; and

- What method of adjusting the private lease should be used in the case of a request for royalty reduction on the Federal lease.

There are many ways that cooperative leasing can be made operational using many different sharing rules. Further study of the numerous concepts for cooperative leasing in order to select a "best" technique is not efficient based on the opportunity (revenue) that would be lost while trying to distinguish small relative differences. The DOI assumes that effective and workable procedures can be developed within the present statutory and regulatory framework.

LITIGATION

PREFERENCE RIGHT LEASE APPLICATIONS AND PROSPECTING PERMITS

Several lawsuits have been filed by preference right lease applicants and holders of prospecting permits. (A valid prospecting permit was required before a PRLA could be filed.) These lawsuits may have an impact on the processing and the number of applications. One additional lawsuit, filed by the NRDC prior to FY 1979, was on appeal at the close of the fiscal year.

In NRDC v. Curtis J. Berklund, et al., Civil No. 75-0131, the plaintiffs asserted that the Secretary has discretionary authority under the Mineral Lands Leasing Act of 1920 and the NEPA to reject, on environmental grounds, PRLA's that result from prospecting permits where a discovery of coal has been made in commercial quantities. In addition, the plaintiffs argued that an EIS must be prepared prior to issuance of a preference right lease.

On June 30, 1978, the U.S. District Court of the District of Columbia ruled that the Secretary has no discretion in issuing a preference right lease if, by way of a prospecting permit, coal is discovered in commercial quantities (458 F. Supp. 925). However, according to the court order, the Secretary is required to prepare an EIS prior to lease issuance if it is determined that issuing such a lease is a major Federal action significantly affecting the quality of the human environment. Further, in determining if the coal meets the test of commercial quantities, the Secretary may consider environmental costs as a part of the process. An appeal was filed by the plaintiffs but on November 9, 1979, the U.S. Circuit Court upheld the opinion of the U.S. District Court (609 F.2d 553).

Two separate lawsuits were filed against the DOI concerning a PRLA in Utah (Utah International, Inc. v. Cecil D. Andrus, et al., Civil No. C-77-0225) and another in Colorado (Utah International, Inc. v. Cecil D. Andrus, et al., Civil No. 77-K-595). In both cases, Utah International alleged that the DOI's delay in processing the applications was unreasonable and therefore sought an order compelling lease issuance from the court.

In the Utah case, the court ruled on June 15, 1979, that the DOI's action in postponing processing of PRLA's due to the coal leasing moratorium and litigation (principally NRDC v. Hughes) was not unreasonable as claimed by the plaintiff (488 F Supp. 962(D. Utah 1979)). However, in the Colorado case, with different facts, the court ruled in February 1979 that the delay was unreasonable and ordered the Secretary to take final administrative action by June 1979 with respect to Utah International's Colorado PRLA.

On April 25, 1979, the DOI issued a decision which constituted final administrative action for the application. That decision, stated that:

"... the Department must take additional steps to process that application before it can decide whether Utah International is entitled to a lease;" and that "Utah International's application cannot be processed or issued as long as the injunction in NRDC v. Hughes remains in force."

On April 18, 1980, the U.S. District Court in Colorado ruled that Utah International is entitled to a preference right lease and that the lease is to be issued without any further delay, without specifying what lease terms should be in the lease (448 F. Supp. 976 (D. Colo. 1980)). Cross appeals have been filed in U.S. Circuit Court of Appeals. At the end of FY 1980, the DOI was pursuing settlement agreement with plaintiffs. If a settlement is reached, the appeals would be dropped and a lease would be issued according to the terms of the agreement.

Four cases against the DOI involved extensions of coal prospecting permits. The BLM, in accordance with a Solicitor's opinion, rejected pending applications for extensions of prospecting permits stating that an application for extension of a prospecting permit was not a valid existing right within the meaning of the FCLAA. In various decisions, the IBLA upheld the BLM's rejection actions.

Separate lawsuits challenging the decisions issued by the BLM and affirmed by the IBLA were filed by some holders of prospecting permits. These lawsuits were: Peabody Coal Company v. Cecil D. Andrus, et al., Civil No. C-78-761K; Hiko Bell Mining and Oil Co. v. Cecil D. Andrus, et al., Civil No. C-78-0465; Rosebud Coal Sales Company v. Cecil D. Andrus et al., Civil No. 78-261K; Virgil Peterson v. Department of the Interior, Civil No. 78-0463.

In all these cases, the plaintiffs alleged that the DOI's refusal to extend the term of the prospecting permits was arbitrary and capricious and constitutes an abuse of discretion. The plaintiffs asked the respective courts to reverse and set aside the IBLA decisions and are requesting that the DOI be ordered to grant the extension of the term of the prospecting permits or issue the preference right leases based on a demonstration of a discovery in commercial quantities.

In the Peabody case, the court ruled on September 19, 1979, against the DOI. The Secretary was directed to extend the prospecting permits held by Peabody Coal Company, directed to accept the company's evidence of its discovery of coal in commercial quantities, and, if the discovery is verified, to issue the lease. No appeal was taken.

The court ruled in the Rosebud case on October 17, 1979, and ordered a two-year extension of the prospecting permits, reinstated the company's PRLA's, provided a reasonable time for submission of additional data if it's determined necessary, and ordered that leases be issued if the discovery of coal in commercial quantities is verified. No appeal was taken.

The Hiko Bell and Virgil Peterson cases were joined by the Utah district court. Oral arguments are scheduled for November 1980.

READJUSTMENTS

Rosebud Coal Sales Company, Inc., brought suit against the DOI (Rosebud Coal Company, Inc. v. Cecil D. Andrus, et al., Civil No. 80-1842) alleging that the DOI was not authorized, under the Mineral Lands Leasing Act of 1920, to readjust the terms and conditions of its lease after the expiration of the 20-year lease period without notifying the lessee prior to the end of that 20-year period. It asserted that a readjustment which became effective 2 1/2 years after the expiration of the 20-year lease period without notice prior to the expiration violated the lease agreement between Rosebud and the DOI.

On June 9, 1980, the U.S. District Court of Wyoming held that a lease could not be readjusted after the expiration of the 20th lease year period unless notice of such readjustment was given. In addition, the court concluded that the readjusted royalty rate, which was set at 12 1/2 percent to comply with the FCLAA, was too high, unreasonable, and therefore invalid. The anniversary date for the 20-year period of the lease was prior to the enactment of the FCLAA (1976), but the DOI readjusted the lease after the enactment of the FCLAA. If the lease had been readjusted in a timely manner, the royalty rate required by the FCLAA would not have been imposed, although the royalty rate would have been readjusted to a level higher than the original rate.

The DOI has appealed this decision. Two other similar cases are pending in Utah and Colorado (California Portland Cement Co. v. Cecil D. Andrus, Civil No. C79-0477, and Western Slope Carbon Co. v. Cecil D. Andrus, Civil No. 79-M-1438).

ALLUVIAL VALLEY FLOORS AND UNSUITABILITY CRITERIA

Texaco, Inc., and the National Coal Association (NCA) filed suits challenging the alluvial valley floor provisions of the Federal coal program regulations (43 CFR 3435), certain unsuitability criteria, and the application of the unsuitability criteria to leased lands (Texaco v. Cecil D. Andrus, No. 79-2448, and NCA, et al., v. Cecil D. Andrus, No. 79-2458). These two cases were joined by the court.

The plaintiffs challenged the Federal coal program regulations that established the procedures for exchanging lands covered by Federal coal leases or Federal fee coal lands for other lands under Federal lease or held in fee which cannot be mined because surface mining operations would preclude farming on alluvial valley floors or materially damage the water systems supplying alluvial valley floors.

The challenges to the unsuitability criteria generally fell into two groups. First, the plaintiffs alleged that Criterion 9 dealing with critical habitat for threatened and endangered species, Criteria 11 and 12 dealing with bald and golden eagle nesting and roosting sites, Criterion 13 dealing with falcon nesting sites, and Criterion 14 dealing with migratory bird habitat of high priority were invalid because they did not contain an exemption in favor of those who have made substantial legal and financial commitments toward developing a producing mine. The plaintiffs argued that an exemption in favor of those who have made substantial financial and legal commitments was required by the SMCRA.

The plaintiffs also challenged certain other unsuitability criteria on the grounds that they exceeded the authority granted by the SMCRA.

In addition, the plaintiffs challenged application of the unsuitability criteria to lands that had already been leased. The regulations call for application of the unsuitability criteria to such lands during the mining plan approval process.

On August 15, 1980, the U.S. District Court entered its judgment. The court ruled in favor of the DOI on some points and rejected others. It remanded several regulations, as described below, to the DOI for revisions.

1) The court held that fee coal exchanges authorized by section 510(b)(5) of the SMCRA are "mandatory." The court also held that fee coal owners are entitled to the benefits of an exchange even though they have not made substantial financial and legal commitments toward developing their coal resources. Even though these alluvial valley floor fee coal exchanges were deemed to be mandatory, the court held that the Secretary of the Interior retains discretion to determine whether

the values of the tracts to be exchanged are equal and to determine which particular tract of Federal land will be disposed of through exchange. The regulations which make fee coal exchanges discretionary on the part of the Secretary and impose the substantial financial and legal commitments requirements were remanded to the DOI for revision.

2) The court held that the SMCRA amended the Endangered Species Act, the Bald Eagle Protection Act, and the Migratory Bird Treaty Act so as to allow surface coal mining to proceed whenever substantial financial and legal commitments have been made toward developing a producing mine. The unsuitability criteria were remanded to the DOI for inclusion of this exemption.

3) The portion of Criterion 1 that makes land under study for inclusion in a Federal land system, such as the National Wildlife Refuge System, unsuitable for coal leasing was declared invalid because the SMCRA only authorizes an unsuitability determination when the lands are actually included in the Federal lands system.

4) The court also ruled that the Secretary's general discretion to decline to lease lands for coal development purposes is modified by the SMCRA so that the Secretary is precluded from refusing to issue leases for lands under study for inclusion in a Federal land system as an exercise of his general discretionary leasing authority under the Mineral Lands Leasing Act of 1920.

5) The floodplains Criterion 16 was declared to be unauthorized because it makes floodplains unsuitable for coal leasing unless it can be shown that there is no threat of loss of life or property from coal mining operations in such locations. The court held that the Secretary must establish that there is a threat of loss of life or property before a floodplain area can be deemed unsuitable for coal leasing.

6) Criterion 17 dealing with municipal watersheds, was remanded to DOI for revision because the exception that would allow coal leasing in situations where the municipal water supply would be adequately protected required the concurrence of officials of the affected local governmental entity. The court held that this concurrence requirement was unauthorized by the SMCRA and was therefore unlawful.

7) The court held that only those criteria based on the SMCRA may be applied to lands that have already been leased.

During FY 1981, the DOI intends to appeal certain portions of the court's decision. The specific decisions which will be appealed concern Criteria 1 and 16, the exemptions to Criteria 9, 11, and 12, and the applicability of the criteria to leased lands.

MAJOR ISSUES AND RECOMMENDATIONS

STATUS OF PREVIOUS YEAR'S RECOMMENDATIONS

Last year's Federal coal management report did not make any new recommendations; therefore, there is no status to report in this FY 80 Federal coal management report.

While not a formal recommendation of last year's report, it should be noted that the DOI, at the request of Senator Melcher, drafted legislation, enacted as P.L. 96-401, which allows the resolution of a longstanding impasse among the DOI, the Northern Cheyenne Tribe, and several coal companies. The legislation provides for cancellation of coal leases and permits on the Northern Cheyenne reservation in return for the DOI issuing non-competitive coal leases to the companies involved for lands off the reservation. The companies will pay FMV for the off-reservation coal lands with a deduction allowed for investment made on the reservation lands. The first agreement allowing the cancellation and subsequent non-competitive award was scheduled to be signed in late October 1980.

NEW RECOMMENDATIONS

The DOI does not, at this time, have recommendations for major changes. However, the DOI is developing draft regulations to correct minor errors, to make certain streamlining changes in coal management procedures, and to comply with court-mandated changes.

As the Federal coal management program is reviewed by the new administration, it is possible that additional, significant recommendations may be made prior to the FY 81 Federal Coal Management Report.

TABLE A-1

FEDERAL COAL LEASES, BY EFFECTIVE
DATE: FISCAL YEAR 1980

Effective Lease Date	States	Lessee(s)	Serial Number	Acreage	Recoverable Reserve Tonnage			Royalty Rate	Bonus Bid	Partial Assignment: Previous Lease Number	Revised Acreage
					(million tons)						
10/1/79	Colorado	Western Slope Carbon	C-27103	290	.90			8.0	106.00		
11/1/79	N. Dakota	Consolidation Coal Co.	M-21209	1,668	17.80			12.5	25.00		
12/1/79	Utah	Braztah Corporation	U-25683	1,173	21.60			10.4	25.00		
12/1/79	Oklahoma	Great National Corp.	NM-24005	140	.20			12.5	100.50		
2/1/80	Wyoming	Rosebud Coal Sales	W-48330	130	1.60			12.5	25.00		
3/1/80	Colorado	Wyoming Fuel Co.	C-27931	90	.70			12.5	30.75		
4/1/80	New Mexico	Western Coal Co.	NM-28093	3,856	75.80			8.0	26.58		
4/1/80	Utah	Plateau Mining Co.	U-37045	698	1.95			8.0	521.53		
5/1/80	Montana	Consolidation Coal Co.	M-46292	674						M-061686	524
6/1/80	Colorado	Utah International Inc.	C-25948	85	.40			12.5	25.00		
6/1/80	Montana	Western Energy Co. (Area A)	M-42381	61	1.90			12.5	25.00		
6/1/80	Alabama	Stovall-Files Coal Co.	ES-16968	520	.72			12.5	25.15		
7/1/80	Colorado	Kerr Coal Co.	C-22777	770	4.88			12.5	25.00		
8/1/80	Utah	Northwest Carbon Corp	U-46484	400						U-024316	1400
8/1/80	N. Dakota	Falkirk Mining Co.	M-31053	160	2.14			12.5	25.00		
8/1/80	Wyoming	Ark Land Coal Co.	W-49338	735	5.08			12.5	25.00		

SOURCE: Compiled by U.S. Department of the Interior, Bureau of Land Management,
Office of Coal Management, October 1980.

TABLE A-2

SURFACE ACREAGE OF LEASES, BY STATE AND BY SURFACE
OWNERSHIP: SEPTEMBER 30, 1980

State	Number of Leases	Total Acres	Federal Lands			Native American	State	Private
			BLM	FS	Other			
Total	562	812,163	351,881	84,307	1,404	9,148	38,310	327,075
Alabama	2	2,909	0	0	0	0	0	2,909
Alaska	4	2,593	1,480	0	0	0	1,035	79
California	1	80	80	0	0	0	0	0
Colorado	127	126,875	45,773	22,589	0	0	0	58,498
Kentucky	3	2,225	0	2,225	0	0	0	0
Montana	22	37,445	1,225	80	0	0	0	36,141
New Mexico	29	44,761	20,047	0	0	9,148	7,086	8,478
North Dakota	18	17,504	0	0	0	0	0	17,504
Oklahoma	47	74,270	890	0	0	0	0	73,381
Oregon	3	5,409	538	4,872	0	0	0	0
Pennsylvania	2	80	0	0	80	0	0	0
Utah	204	279,654	187,993	50,102	0	0	28,108	13,450
Washington	2	521	0	0	0	0	241	280
Wyoming	98	217,835	93,854	4,440	1,324	0	1,840	116,355

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Bureau of Land Management,
Office of Coal Management, Automated Coal Lease Data System,
September 30, 1980.

TABLE A-3

SURFACE ACREAGE OF LEASES, BY REGION AND BY SURFACE
OWNERSHIP: SEPTEMBER 30, 1980

Region	Number of Leases	Total Acres	Federal Lands			Native American	State	Private
			BLM	FS	Other			
Total	562	812,163	351,881	84,307	1,404	9,148	38,310	327,075
Appalachian	6	4,895	0	1,905	80	0	0	2,909
Denver-Raton Mesa	9	3,886	0	0	0	0	40	3,847
Fort Union	21	23,561	0	0	0	0	0	23,561
Green River-Hams Fork	96	136,420	90,601	400	1,324	0	120	43,968
Powder River	73	164,411	14,455	3,760	0	0	1,720	144,708
San Juan River	27	44,720	20,047	0	0	9,148	7,046	8,477
Uinta-SW Utah	267	349,430	223,590	72,691	0	0	28,108	25,032
Western Interior	47	74,271	890	0	0	0	0	73,381
No Region	16	9,642	2,298	5,551	0	0	1,276	519

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Bureau of Land Management,
Office of Coal Management, Automated Coal Lease Data System,
September 30, 1980.

TABLE A-4

NUMBER OF LEASES, ESTIMATED IN-PLACE AND RECOVERABLE RESERVES, BY STATE: SEPTEMBER 30, 1980

State	Number of Leases	Total Reserve Base	Recoverable Reserves	
			Surface	Underground
		(million tons)	(million tons)	
Total	562	31,517	11,083	6,178
Alaska	4	37	13	7
Colorado	127	4,869	561	1,406
Montana	22	3,663	1,116	0
New Mexico	29	551	268	153
North Dakota	18	336	250	0
Oklahoma	47	434	11	192
Utah	204	7,884	285	3,929
Wyoming ^{1/}	98	13,608	8,570	425
Other	13	134	9	66

1/ Due to confidentiality requirements, an aggregate figure is given for all reserve data for States with less than three lessees. Other includes Alabama, California, Kentucky, Oregon, Pennsylvania and Washington.

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Bureau of Land Management, Office of Coal Management, Automated Coal Lease Data System, September 30, 1980.

TABLE A-5

NUMBER OF LEASES, ESTIMATED IN-PLACE AND RECOVERABLE RESERVES, BY REGION: SEPTEMBER 30, 1980

Region	Number of Leases	Total Reserve Base	Recoverable Reserves	
			Surface	Underground
		(million tons)	(million tons)	
Total	562	31,517	11,083	6,178
Appalachian	6	70	0	35
Denver-Raton Mesa	9	105	49	18
Fort Union	21	651	541	0
Green River-				
Hams Fork	96	6,330	722	693
Powder River	73	13,236	9,170	318
San Juan River	27	554	268	154
Uinta - SW Utah	267	10,029	297	4,729
Western Interior	47	434	11	192
Other ^{1/}	16	108	25	39

1/ Due to confidentiality requirements, an aggregate figure is given for all reserve data with less than three lessees.

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Bureau of Land Management, Office of Coal Management, Automated Coal Lease Data System, September 30, 1980.

TABLE A-6

TOTAL UNITED STATES COAL PRODUCTION AND FEDERAL PRODUCTION,
BY STATE: CALENDAR YEAR 1979

State	U.S.	Production in CY 1979	
			Federal
	(thousand tons)	(thousand tons)	
Total	781,134		60,277
Alabama	23,873		2
Alaska	706		0
Arizona	11,389		0
Arkansas	521		0
Colorado	18,135		7,731
Georgia	50		0
Illinois	59,507		0
Indiana	27,502		0
Iowa	724		0
Kansas	857		0
Kentucky	149,836		50
Maryland	2,717		0
Missouri	6,487		0
Montana	32,452		8,571
New Mexico	15,073		5,403
North Dakota	14,963	1/	1,087
Ohio	43,495		0
Oklahoma	4,782		311
Pennsylvania	94,002		0
Tennessee	9,303		0
Texas	26,634	1/	0
Utah	11,834		6,908
Virginia	37,038		0
Washington	5,050		92
West Virginia	112,381		0
Wyoming	71,823		30,121

NOTE: Details may not add to total due to rounding.

1/ Includes only lignite

SOURCE: Department of Energy, Energy Information Administration, unpublished data; Department of the Interior, Geological Survey, Federal and Indian Lands Coal, Phosphate, Potash, Sodium, and Other Mineral Production, Royalty Income, and Related Statistics, CY 1979.

TABLE A-7

NUMBER OF PRODUCING LEASES AND PRODUCTION, BY STATE:
FISCAL YEAR 1980

State	Producing Leases		Production in FY 1980
	Number	Acreage	
Total	99	170,410	71,958,165
Alabama	1	2,388	27,780
Colorado	27	24,887	8,562,682
Kentucky	1	362	9,219
Montana	8	20,850	10,345,255
New Mexico	4	10,031	6,546,224
North Dakota	4	5,358	1,418,129
Oklahoma	4	5,386	299,599
Utah	27	32,112	8,618,415
Wyoming	23	69,037	36,130,862

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Geological Survey, Conservation Division, Branch of Mining Operations, unpublished data, and Bureau of Land Management, Automated Coal Lease Data System, October 1, 1980.

TABLE A-8

NUMBER OF PRODUCING LEASES AND PRODUCTION, BY REGION:
FISCAL YEAR 1980

Region	Producing Leases		Production in FY 1980
	Number	Acreage	Tons
Total	99	170,410	71,958,165
Appalachian	2	2,750	36,999
Fort Union	5	6,318	1,470,442
Green River-			
Hams Fork	27	58,098	13,555,718
Powder River	15	42,820	38,898,583
San Juan River	5	10,191	6,655,960
Western Interior	4	5,386	299,599
Uinta-SW Utah	41	44,847	11,040,860

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Geological Survey,
Conservation Division, Branch of Mining Operations,
unpublished data, and Bureau of Land Management,
Automated Coal Lease Data System, October 1, 1980.

TABLE A-9

ROYALTY REVENUES FROM FEDERAL COAL LEASES,
BY STATE: 1965 to 1980

	FY 1965	FY 1970	FY 1975	FY 1980
Total	\$777,551	\$1,069,935	\$4,857,423	\$24,568,692
Alabama	NA	106	24,394	31,669
Alaska	54,244	41,146	51,438	0
Colorado	150,405	303,844	364,003	7,115,564
Kentucky	36,193	NA	126,643	10,830
Montana	16,826	11,027	1,219,863	2,065,885
New Mexico	62,304	1,347	242,716	1,472,900
North Dakota	36,567	135,997	60,013	272,272
Oklahoma	23,695	54,053	43,199	826,942
Utah	271,375	299,547	456,480	3,968,073
Washington	NA	NA	18,851	0
Wyoming	125,790	222,805	2,249,791	8,804,557

NA: Not available

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Geological Survey, Federal and Indian Lands Coal, Phosphate, Potash, Sodium, and Other Mineral Production, Royalty Income, and Related Statistics, June 1979, and preliminary unpublished data for FY 1980.

TABLE A-10

LARGEST 15 FEDERAL COAL LESSEES
RANKED BY ACREAGE: SEPTEMBER 30, 1980

Lessee	Acreage	Number of Leases
Consolidation Coal Co.	55,617	33
Peabody Coal Co.	49,419	26
Resources Co.	40,277	21
El Paso Natural Gas Co.	27,659	16
Utah International Inc.	24,122	27
Kemmerer Coal Co.	22,854	16
R D Bass Trust Estate	20,700	1
Garland Coal & Mining Co.	18,991	12
U.S. Steel Corp.	18,929	19
Evans Coal Co.	17,846	11
Gulf Oil Corp.	16,349	14
Kaiser Steel Corp.	15,094	10
Sheridan Enterprises Inc.	15,089	7
Black Butte Coal Co.	14,902	1
Sweetwater Coal Development Co.	14,680	1

NOTE: The acreage does not includes those leases that the lessee is related or associated with indirectly.

SOURCE: Department of the Interior, Bureau of Land Management,
Automated Coal Lease Data System, April 1980.

TABLE A-11

SURFACE ACREAGE OF PRLA's, BY STATE AND BY
SURFACE OWNERSHIP: SEPTEMBER 30, 1980

State	Number of PRLA's	Total Acres	Federal Lands		Native American	State	Private
			BLM	FS			
(Acres)							
Total	178	393,749	184,665	23,739	7,181	963	177,297
Alaska	4	7,840	7,840	0	0	0	0
Colorado	37	82,911	23,279	1,203	0	0	58,306
Montana	4	14,673	9,917	0	0	0	4,756
New Mexico	26	75,509	55,229	0	6,101	0	14,180
Oklahoma	4	5,954	0	0	0	0	5,954
Utah	21	68,586	54,076	13,609	0	40	861
Wyoming	82	138,275	34,325	8,927	1,080	923	93,239

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Bureau of Land Management,
Office of Coal Management, Automated Coal Lease Data System,
September 30, 1980.

TABLE A-12

SURFACE ACREAGE OF PRLA's, BY REGION AND BY
SURFACE OWNERSHIP: SEPTEMBER 30, 1980

Region	Number of PRLAs	Total Acres	Federal Lands		Native American	State	Private
			BLM	FS			
(Acres)							
Total	178	393,749	184,665	23,739	7,181	963	177,297
Denver-Raton Mesa	20	42,118	2,157	0	0	0	39,961
Fort Union	4	14,673	9,917	0	0	0	4,756
Green River-Hams Fork	27	65,213	26,420	2,413	0	883	35,116
Powder River	67	95,669	13,861	6,514	1,080	40	74,652
San Juan River	26	75,509	55,228	0	6,101	0	14,180
Uinta-SW Utah	26	86,772	69,242	14,812	0	40	2,677
Western Interior	4	5,954	0	0	0	0	5,954
No Region	4	7,840	7,840	0	0	0	0

NOTE: Details may not add to total due to rounding.

SOURCE: U.S. Department of the Interior, Bureau of Land Management,
Office of Coal Management, Automated Coal Lease Data System,
September 30, 1980.

APPENDIX B

CRITERIA FOR ASSESSING LANDS
UNSUITABLE FOR ALL OR CERTAIN
STIPULATED METHODS OF COAL MINING 1/

1. All Federal lands included in the following land systems or categories shall be considered unsuitable: National Park System, National Wildlife Refuge System, National System of Trails, National Wilderness Preservation System, National Wild and Scenic Rivers System, National Recreation Areas, lands acquired with money derived from the Land and Water Conservation Fund, National Forests, and Federal lands in incorporated cities, towns, and villages. All Federal lands which are recommended for inclusion in any of the above systems or categories by the administration in legislative proposals submitted to the Congress or which are required by statute to be studied for inclusion in such systems or categories shall be considered unsuitable.
2. Federal lands that are within rights-of-way or easements of within surface leases for residential, commercial, industrial, or other public purposes, or for agricultural crop production on federally-owned surface shall be considered unsuitable.
3. Federal lands affected by section 522(e)(4) and (5) of the Surface Mining Control and Reclamation Act of 1977 shall be considered unsuitable. This includes lands within 100 feet of the outside line of the right-of-way of a public road or within 100 feet of a cemetery, or within 300 feet of any public building, school, church, community or institutional building or public park or within 300 feet of an occupied dwelling.
4. Federal lands designated as wilderness study areas shall be considered unsuitable while under review by the Administration and the Congress for possible wilderness designation. For any Federal land which is to be leased or mined prior to completion of the wilderness inventory by the surface management agency, the environmental assessment or impact statement on the lease sale or mine plan shall consider whether the land possesses the characteristics of a wilderness study area. If the finding is affirmative, the land shall be considered unsuitable, unless issuance of noncompetitive coal leases and mining on leases is authorized under the Wilderness Act and the Federal Land Policy and Management Act of 1976.

1/

Each of these criteria have exemptions which are published in the coal program regulations (43 CFR 3461.1).

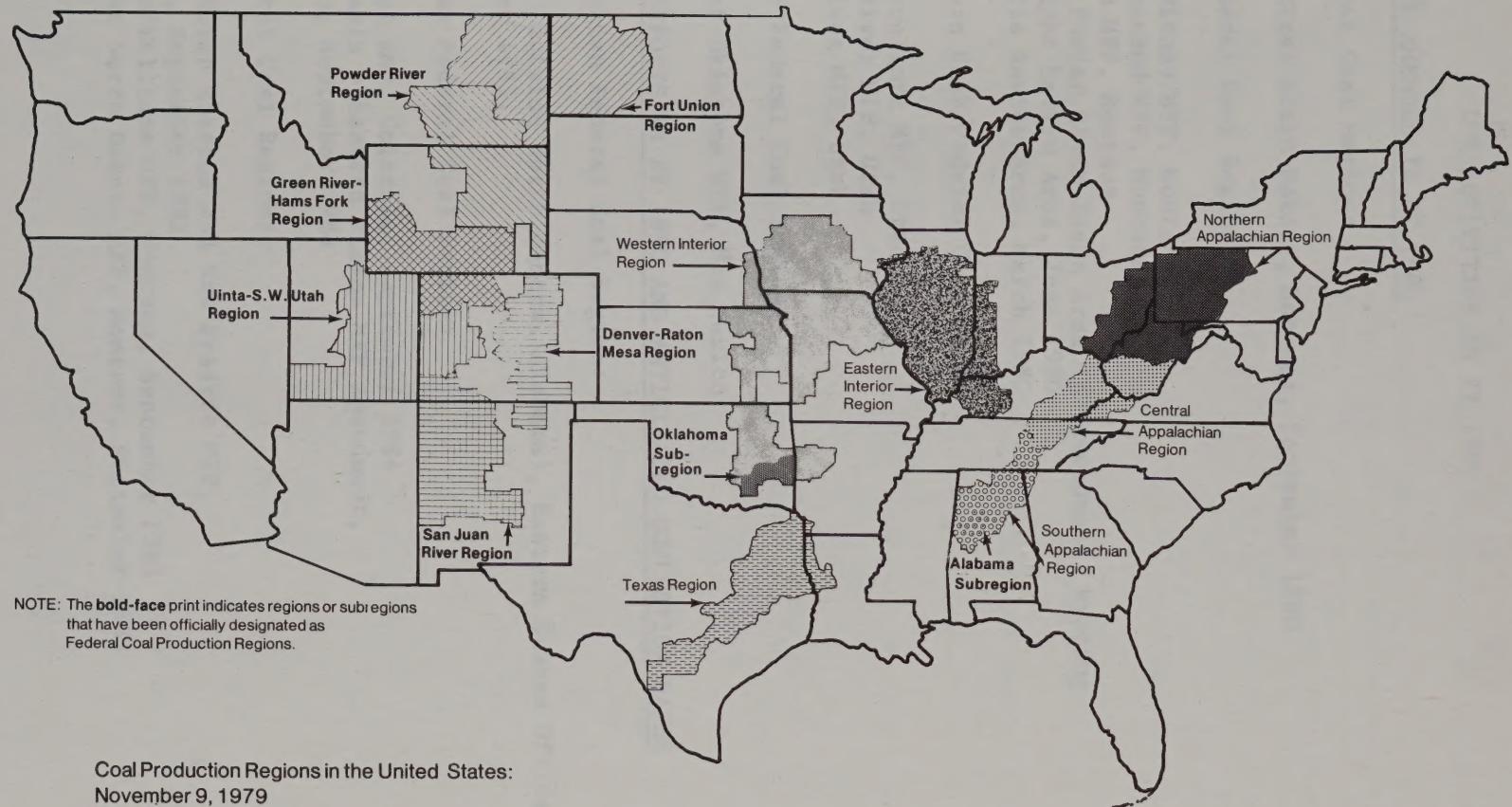
5. Scenic Federal lands designated by visual resource management analysis as Class I (an area of outstanding scenic quality or high visual sensitivity) but not currently on the National Register of Natural Landmarks shall be considered unsuitable. A lease may be issued if the surface management agency determines that surface coal mining operations will not significantly diminish or adversely affect the scenic quality of the designated area.
6. Federal lands under permit by the surface management agency, and being used for scientific studies involving food or fiber production, natural resources, or technology demonstrations and experiments shall be considered unsuitable for the duration of the study, demonstration or experiment, except where mining could be conducted in such a way as to enhance or not jeopardize the purposes of the study, as determined by the surface management agency, or where the principal scientific user or agency gives written concurrence to all or certain methods of mining.
7. All districts, sites, buildings, structures, and objects of historic, architectural, archeological, or cultural significance on Federal lands which are included in or eligible for inclusion in the National Register of Historic Places, and an appropriate buffer zone around the outside boundary of the designated property (to protect the inherent values of the property that make it eligible for listing in the National Register) as determined by the surface management agency, in consultation with the Advisory Council on Historic Preservation and the State Historic Preservation Office shall be considered unsuitable.
8. Federal lands designated as natural areas or as National Natural Landmarks shall be considered unsuitable.
9. Federally designated critical habitat for threatened or endangered plant and animal species, and habitat for Federal threatened or endangered species which is determined by the Fish and Wildlife Service and the surface management.
10. Federal lands containing habitat determined to be critical or essential for plant or animal species listed by a State pursuant to State law as endangered or threatened shall be considered unsuitable.
11. A bald or golden eagle nest or site on Federal lands that is determined to be active and an appropriate buffer zone of land around the nest site shall be considered unsuitable. Consideration of availability of habitat for prey species and of terrain shall be included in the determination of buffer zones. Buffer zones shall be determined in consultation with the Fish and Wildlife Service.

12. Bald and golden eagle roost and concentration areas on Federal land used during migration and wintering shall be considered unsuitable.
13. Federal lands containing a falcon (excluding kestrel) cliff nesting site with an active nest and a buffer zone of Federal land around the nest site shall be considered unsuitable. Consideration of availability of habitat for prey species and of terrain shall be included in the determination of buffer zones. Buffer zones shall be determined in consultation with the Fish and Wildlife Service.
14. Federal lands which are high priority habitat for migratory bird species of high Federal interest on a regional or national basis, as determined jointly by the surface management agency and the Fish and Wildlife Service, shall be considered unsuitable.
15. Federal lands which the surface management agency and the State jointly agree are fish and wildlife habitat for resident species of high interest to the State and which are essential for maintaining these priority wildlife species shall be considered unsuitable. Examples of such lands which serve a critical function for the species involved include:
 - (i) Active dancing and strutting grounds for sage grouse, sharp-tailed grouse, and prairie chicken;
 - (ii) Winter ranges most critical for deer, antelope, and elk; and
 - (iii) Migration corridors for elk.

A lease may be issued if, after consultation with the State, the surface management agency determines that all or certain stipulated methods of coal mining will not have a significant long-term impact on the species being protected.

16. Federal lands in riverine, coastal, and special floodplains (100-year recurrence interval) shall be considered unsuitable unless, after consultation with Geological Survey, the surface management agency determines that all or certain stipulated methods of coal mining can be undertaken without substantial threat of loss to people or property, and to the natural and beneficial values of the floodplain on the lease tract and downstream.
17. Federal lands which have been committed by the surface management agency to use as municipal watersheds shall be considered unsuitable.

18. Federal lands with National Resource Waters, as identified by States in their water quality management plans, and a buffer zone of Federal lands 1/4 mile from the outer edge of the far banks of the water, shall be unsuitable.
19. Federal lands identified by the surface management agency, in consultation with the State in which they are located, as alluvial floors according to the definition in section 3400.0-5(a) of this title, the standards in 30 CFR Part 822, the final alluvial valley floor guidelines of the Office of Surface Mining Reclamation and Enforcement when published, and approved State programs under the Surface Mining Control and Reclamation Act of 1977, where mining would interrupt, discontinue, or preclude farming, shall be considered unsuitable. Additionally, when mining Federal land outside an alluvial valley floor would materially damage the quantity or quality of water in surface or underground water systems that would supply alluvial valley floor the land shall be considered unsuitable.
20. Federal lands in a State to which is applicable a criterion (i) proposed by that State, and (ii) adopted by rulemaking by the Secretary, shall be considered unsuitable.



APPENDIX D

LUP ACTIVITIES IN FY 1980

LUP's UPDATED AND AMENDED IN FY 1980

Fort Union Federal Coal Region:

- West-Central North Dakota, Montana, September 1980

Powder River Federal Coal Region:

- Decker-Birney MFP, Montana
- South Rosebud MFP, Montana
- Coalwood MFP, Montana
- Eastern Powder River Basin Area MFP Amendment, Wyoming
 Highlight Review Area, June 1980
 Gillette Review Area, March 1980

Uinta-Southwestern Utah Federal Coal Region:

- Kanab/Escalante MFP, Utah
- Sevier River MFP, Utah
- Price River MFP, Utah

Western Interior Federal Coal Region:

- Southeast Oklahoma MFP, New Mexico

ON-GOING LUP's EFFORTS IN FY 1980 AND ANTICIPATED COMPLETION DATES

Southern Appalachian Federal Coal Region:

- Alabama (Outside North Central Alabama), Eastern States Office, September 1983.

Denver-Raton Mesa Federal Coal Region:

- Northeast RMP, Colorado, September 1984
- Raton Basin - Eastern Plains MFP Amendment, Colorado, September 1984

Fort Union Federal Coal Region:

- Jordan/North Rosebud and New Prairie MFP, Montana, September 1982
- McKenzie/Williams MFP, Montana, September 1983
- Southwest North Dakota MFP, Montana, September 1983

Green River-Hams Fork Federal Coal Region:

- Big Sandy MFP Amendment, Wyoming, March 1981
- Salt Wells MFP Amendment, Wyoming, September 1981
- Pioneer Trails MFP Amendment, Wyoming, September 1981
- Overland MFP Amendment, Wyoming, March 1982
- Divide MFP Amendment, Wyoming, March 1982
- White River MFP Amendment, Colorado, September 1981
- Kremmerling RMP, Colorado, September 1983

San Juan River Federal Coal Region:

- San Juan RMP, Colorado, September 1984
- Chaco-San Juan MFP, New Mexico, September 1981

Uinta-Southwestern Utah Federal Coal Region:

- North Fork MFP Amendment, Colorado, September 1981
- Glenwood Springs RMP, Colorado, September 1982
- Manti-LaSal National Forest Land Management Plan, Utah, December 1981
- Fish Lake National Forest Land Management Plan, Utah, March 1982
- Dixie National Forest Land Management Plan, Utah, March 1982
- Grand RMP, Utah, September 1983
- Bever-Cedar RMP, Utah, September 1984

TABLE E-1

ACTIVITY PLANNING SCHEDULE
GREEN RIVER-HAMS FORK FEDERAL COAL REGION:
AS OF SEPTEMBER 30, 1980

<u>Activity</u>	<u>Start Date</u>	<u>1/</u>	<u>Finish Date</u>	<u>1/</u>
RCT orientation meeting	Aug 14, 1979		Aug 15, 1979	
Call for expressions of interest	July 20, 1979		Aug 24, 1979	
Tract delineation	Sept 9, 1979		Oct 16, 1979	
RCT review of tract delineation	Oct 1, 1979		Oct 1, 1979	
Site-specific analysis (SSA)	Oct 17, 1979		Nov 26, 1979	
Tract ranking comment period	Oct 31, 1978		Dec 7, 1979	
EIS scoping meetings and leasing target public hearings	Oct 22, 1979		Oct 25, 1979	
Public comment period on scoping	Oct 5, 1979		Nov 8, 1979	
RCT review SSA and determine ranking factors	Nov 14, 1979		Nov 14, 1979	
RCT tract ranking meeting	Dec 13, 1979		Dec 13, 1979	
Secretarial review of targets	Jan 22, 1980		Jan 23, 1980	
RCT preliminary tract selection meeting	Dec 13, 1979		Dec 13, 1979	
Preliminary cumulative analysis (CA)	Dec 17, 1979		Jan 17, 1980	
RCT review of preliminary CA	Jan 24, 1980		Jan 24, 1980	
Detailed CA	Jan 28, 1980		March 18, 1980	
RCT final review of tract selection	March 21, 1980		March 21, 1980	
Prepare & assemble draft EIS	March 22, 1980		May 5, 1980	
Draft EIS filed with EPA and distributed	May 8, 1980		May 8, 1980	
Public review of draft EIS	May 8, 1980		July 8, 1980	
Public hearings on draft EIS	June 23, 1980		June 26, 1980	
RCT review of draft EIS	July 22, 1980		July 22, 1980	
Preparation of final EIS	May 12, 1980		Aug 25, 1980	
Final EIS filed with EPA and distributed	Aug 29, 1980		Aug 29, 1980	
Governors' consultation	Sept 25, 1980		Oct 18, 1980	
DOJ consultation	Sept 26, 1980		Oct 10, 1980	
DOE review	Aug 29, 1980		Oct 7, 1980	
Develop and prepare SID	Aug 25, 1980		Oct 8, 1980	
Secretarial review	Oct 9, 1980		Oct 20, 1980	
Presale preparation	Oct 20, 1980		Nov 28, 1980	
DOE review of lease terms and condition	Dec 2, 1980		Dec 5, 1980	
Publication of sale notice period	Dec 12, 1980		Jan 12, 1980	
Lease sales	Jan 13, 1981		Oct 30, 1981	

1/ Any date prior to October 1, 1980, is the actual start or finish date. Any date after October 1, 1980, is the scheduled start or finish date.

TABLE E-2

ACTIVITY PLANNING SCHEDULE
SOUTHERN APPALACHIAN FEDERAL COAL REGION:
AS OF SEPTEMBER 30, 1980

<u>Activity</u>	<u>Start Date</u>	<u>1/</u>	<u>Finish Date</u>	<u>1/</u>
Call for expressions of interest	Aug 6, 1979		Oct 11, 1979	
Tract delineation	Oct 9, 1979		Dec 14, 1979	
RCT review of tract delineation	Oct 16, 1979		Oct 16, 1979	
Site specific analysis (SSA)	Dec 3, 1979		Feb 8, 1980	
Tract ranking comment period	Feb 14, 1980		Feb 29, 1980	
RCT scoping meeting and public target hearing	Feb 14, 1980		Feb 1, 1980	
Public comment period on scoping	Feb 14, 1980		March 17, 1980	
RCT review SSA and determine ranking factors	March 20, 1980		March 20, 1980	
RCT tract ranking meeting	March 20, 1980		March 21, 1980	
Secretarial review of targets	March 28, 1980		May 21, 1980	
Preliminary tract selection and RCT meeting	April 3, 1980		April 3, 1980	
Preliminary cumulative analysis (CA)	April 22, 1980		May 16, 1980	
RCT review of preliminary CA	May 29, 1980		May 29, 1980	
Detailed CA	June 13, 1980		July 27, 1980	
RCT final review of tract selection	Aug 6, 1980		Aug 15, 1980	
Prepare & assemble draft EIS	Aug 26, 1980		Sept 22, 1980	
Draft EIS filed with EPA and distributed	Oct 9, 1980		Oct 15, 1980	
Public review of draft EIS	Oct 9, 1980		Dec 8, 1980	
Public hearing of draft EIS	Nov 12, 1980		Nov 14, 1980	
RCT review of draft EIS	Dec 16, 1980		Dec 16, 1980	
Preparation of final EIS	Dec 8, 1980		Dec 24, 1980	
Final EIS filed with EPA and distributed	Jan 12, 1981		Jan 16, 1981	
Governors' consultation	Jan 19, 1981		March 3, 1981	
DOJ Consultation	Jan 29, 1981		March 3, 1981	
DOE review	Jan 29, 1981		March 3, 1981	
Develop and prepare SID	Jan 29, 1981		March 3, 1981	
Secretarial review	March 2, 1981		March 16, 1981	
Presale preparation	April 3, 1981		May 4, 1981	
DOE review teams and condition	May 4, 1981		May 19, 1981	
Publication period	May 20, 1981		June 24, 1981	
Lease sale	June 25, 1981		Dec 30, 1982	

1/ Any date prior to October 1, 1980, is the actual start or finish date. Any date after October 1, 1980, is scheduled start or finish date.

TABLE E-3

ACTIVITY PLANNING SCHEDULE
UINTA-SOUTHWESTERN UTAH FEDERAL COAL REGION:
AS OF SEPTEMBER 30, 1980

<u>Activity</u>	<u>Start Date</u> 1/	<u>Finish Date</u> 1/
Call for expressions of interest	Aug 23, 1979	Oct 26, 1979
Tract delineation	Oct 29, 1979	Jan 7, 1980
RCT orientation meeting	Oct 31, 1979	Nov 1, 1979
Site specific analysis (SSA)	Dec 4, 1979	Jan 18, 1980
Tract ranking comment period	Dec 21, 1979	Jan 25, 1980
RCT scoping meetings and public target hearing	Dec 3, 1979	Dec 6, 1980
Public comment period on scoping	Dec 3, 1979	Jan 4, 1980
RCT review SSA and determine ranking factors	Dec 4, 1979	Jan 18, 1980
RCT tract ranking meeting	Jan 26, 1980	Feb 6, 1980
Secretarial review of targets	March 10, 1980	March 28, 1980
Preliminary tract selection and RCT meeting	Feb 5, 1980	Feb 6, 1980
Preliminary cumulative analysis (CA)	March 19, 1980	March 24, 1980
RCT review of preliminary CA	April 3, 1980	April 3, 1980
Detailed CA	April 14, 1980	June 6, 1980
RCT final review of tract selection	June 16, 1980	July 30, 1980
Prepare & assemble draft EIS	July 14, 1980	Aug 22, 1980
Draft EIS filed with EPA and distributed	Oct 9, 1980	Oct 9, 1980
Public review of draft EIS	Oct 9, 1980	Dec 9, 1980
Public hearing of draft EIS	Nov 18, 1980	Nov 21, 1980
RCT review of draft EIS	Dec 16, 1980	Dec 16, 1980
Preparation of final EIS	Dec 9, 1980	Feb 9, 1981
Final EIS filed with EPA and distributed	Feb 24, 1980	Feb 24, 1980
Governors consultation	March 9, 1981	April 8, 1981
DOJ consultation	March 9, 1981	April 8, 1981
DOE review	March 9, 1981	April 8, 1981
Develop and prepare SID	March 9, 1981	April 8, 1981
Secretarial review	April 13, 1981	May 29, 1981
Presale preparation	May 9, 1981	June 5, 1981
DOE review terms and conditions	June 10, 1981	June 22, 1981
Publication period	June 26, 1981	July 27, 1981
Lease sale	July 30, 1981	Feb 4, 1982

1/ Any date prior to October 1, 1980 is the actual start or finish date. Any date after October 1, 1980, is the scheduled start or finish date.

TABLE E-4

ACTIVITY PLANNING SCHEDULE FOR POWDER RIVER
 FEDERAL COAL PRODUCTION REGION: AS OF
 SEPTEMBER 30, 1980

<u>Activity</u>	<u>Highlight Review Area</u>		<u>Gillette Review Area & Powder River (MT)</u>	
	<u>Start Date</u>	<u>Finish Date</u>	<u>Start Date</u>	<u>Finish Date</u>
RCT orientation meeting	Jan 7, 1980	Jan 10, 1980	Jan 7, 1980	Jan 10, 1980
Call for expressions of interest	April 14, 1980	April 14, 1980	July 23, 1980	July 23, 1980
Tract delineation	June 2, 1980	July 25, 1980	Sept 16, 1980	Oct 27, 1980
RCT review of tract delineation	Nov 6, 1980	Nov 7, 1980	Nov 6, 1980	Nov 7, 1980
Site-specific analysis (SSA)	July 25, 1980	Oct 3, 1980	Oct 6, 1980	Dec 19, 1980
Tract ranking comment period	Dec 3, 1980	Jan 26, 1981	Dec 3, 1980	Jan 26, 1981
RCT scoping meetings	Dec 1, 1980	Dec 5, 1980	Dec 1, 1980	Dec 5, 1980
Public target hearing	Dec 12, 1980	Jan 27, 1981	Dec 12, 1980	Jan 27, 1981
Public comment period on scoping				
RCT review SSA and determine				
ranking factors	Nov 6, 1980	Nov 7, 1980	Nov 6, 1980	Nov 7, 1980
RCT tract ranking meeting	Jan 21, 1981	Jan 23, 1981	Jan 21, 1981	Jan 23, 1981
Secretarial review of targets	Jan 5, 1981	Jan 9, 1981	Jan 5, 1981	Jan 9, 1981
Preliminary tract selection and				
RCT meeting	Jan 14, 1981	Jan 23, 1981	Jan 14, 1981	Jan 23, 1981
Preliminary cumulative analysis (CA)	Jan 19, 1981	Feb 13, 1981	Jan 19, 1981	Feb 13, 1981
RCT review of preliminary CA	Feb 23, 1981	Feb 25, 1981	Feb 23, 1981	Feb 25, 1981
Detailed CA	Feb 26, 1981	March 27, 1981	Feb 26, 1981	March 27, 1981
RCT final review of tract selection	April 7, 1981	April 10, 1981	April 7, 1981	April 10, 1981
Prepare & assemble draft EIS	April 13, 1981	June 10, 1981	April 13, 1981	June 10, 1981
Draft EIS filed with EPA				
and distributed	June 22, 1981	June 23, 1981	June 22, 1981	June 23, 1981
Public review of draft EIS	June 26, 1981	Aug 25, 1981	June 26, 1981	Aug 25, 1981
Public hearing of draft EIS	Aug 3, 1981	Aug 12, 1981	Aug 3, 1981	Aug 12, 1981
RCT review of draft EIS	Aug 10, 1981	Aug 12, 1981	Aug 10, 1981	Aug 12, 1981
Preparation of final EIS	Aug 31, 1981	Oct 30, 1981	Aug 31, 1981	Oct 30, 1981
Final EIS filed with EPA and				
distributed	Nov 23, 1981	Nov 27, 1981	Nov 23, 1981	Nov 27, 1981
Governors consultation	Nov 30, 1981	Dec 29, 1981	Nov 30, 1981	Dec 29, 1981
DOJ consultation	Nov 30, 1981	Dec 29, 1981	Nov 30, 1981	Dec 29, 1981
DOE review				
Develop and prepare SID	Nov 30, 1981	Dec 29, 1981	Nov 30, 1981	Dec 29, 1981
Secretarial review	Dec 31, 1981	Jan 15, 1982	Dec 31, 1981	Jan 15, 1982
Presale preparation	Jan 18, 1982	Feb 5, 1982	Jan 18, 1982	Feb 5, 1982
DOE review terms and condition	Feb 2, 1982	March 11, 1982	Feb 2, 1982	March 11, 1982
Publication period	March 19, 1982	April 19, 1982	March 19, 1982	April 19, 1982
Lease sale	April 20, 1982	-	April 20, 1982	-

TABLE E-5

ACTIVITY PLANNING SCHEDULE FOR THE
 FORT UNION FEDERAL COAL REGION, REDWATER
 AND GOLDEN VALLEY PLANNING AREAS:
 AS OF SEPTEMBER 30, 1980

<u>Activities</u>	<u>Start Date</u> <u>1/</u>	<u>Finish Date</u> <u>1/</u>
RCT orientation meeting	April 10, 1980	-
Call for expressions of interest	April 24, 1980	-
Tract delineation	July 15, 1980	Dec 15, 1980
RCT review of tract delineation	Aug 18, 1980	Aug 20, 1980
Site-specific analysis (SSA)	Sept 1, 1980	June 1, 1981
Tract ranking comment period	June 27, 1981	July 27, 1981
RCT scoping meeting and public target hearing	July 27, 1981	Aug 10, 1981
Public comment period on scoping	-	-
RCT review SSA and determine ranking factors	June 1, 1981	June 16, 1981
RCT tract ranking meeting	Aug 26, 1981	Nov 11, 1981
Secretarial review of targets	-	-
Preliminary tract selection and RCT meeting	Nov 11, 1981	Nov 11, 1981
Preliminary cumulative analysis (CA)	Aug 27, 1981	Nov 10, 1981
RCT review of preliminary CA	Nov 11, 1981	-
Detailed CA preparation	-	-
RCT final review of tract selection	Dec 16, 1981	-
Prepare & assemble draft EIS	Dec 17, 1981	July 1, 1982
Draft EIS filed with EPA and distributed	June 30, 1982	-
Public review of draft EIS	June 30, 1982	Oct 5, 1982
Public hearing of draft EIS	Oct 6, 1982	-
RCT review of draft EIS	Oct 6, 1982	-
Preparation of final EIS	Oct 7, 1982	Jan 11, 1983
Final EIS filed with EPA and distributed	Jan 13, 1983	-
Governors' consultation	Jan 17, 1983	March 18, 1983
DOJ consultation	Jan 17, 1983	March 18, 1983
DOE review	Jan 17, 1983	March 18, 1983
Develop and prepare SID	Feb 18, 1983	March 15, 1983
Secretarial review	March 15, 1983	March 20, 1983
Presale preparation	March 27, 1983	April 27, 1983
DOE review terms and conditions	April 27, 1983	May 27, 1983
Publication period	May 27, 1983	June 30, 1983
Lease sale	June 30, 1983	-

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Any date prior to October 1, 1980, is the actual start or finish date. Any date after October 1, 1980, is the scheduled start or finish date.

APPENDIX F

STATUS OF EMRIA PROJECTS
BY STATE: SEPTEMBER 30, 1980

State or BLM office	Region	Coal ^{1/}	Project Name	Status
Colorado	GH	Collum Gulch Overburden Study	Completed	
	DR	Hydrologic Characterization Ration	Continuing	
	PR, DR, GH	Ground Water Monitoring	Continuing	
	GH	North Park Hydrologic Characterization	Continuing	
	GH	Coal Spoil Hydrology	Continuing	
	GH	Coal Resource Evaluation	Completed	
	GH	North Park Sage Grouse Study	Completed	
	GH	Air Quality Modeling	Completed	
	GH	Revegetation Studies (O&M)	Continuing	
	GH	Revegetation Studies (Lay-Mabell)	Completed	
Eastern States	GH	Hydrologic Investigations (Post Area)	Completed	
	SA	Hydrologic Characterization (Collum Gulch)	Continuing	
	SA	Hydrology of Tract Delineated Areas (AL)	Completed	
	SA	Hydrology of Tract Delineated Areas (AL)	Continuing	
	SA	Hydrologic Modeling (AL)	Continuing	
	SA	Baseline Hydrologic Data Collection (AL)	Completed	
	SA	Coal Resource Evaluation (AL)	Completed	
	SA	Soil Characterization (AL)	Completed	
	SA	Overburden Characterizations (AL)	Completed	
Montana- North Dakota	PR	Overburden (Beaver Cr)	Completed	
	PR	Overburden (Sweeney-Snyder)	Completed	
	PR	Overburden (Mini Sites)	Continuing	
	PR	Soil & Revegetation	Continuing	
	PR	Coal Resource Evaluation	Completed	
	PR	Hydrologic Characterization of E.M.T.	Continuing	
	PR	Activity Planning/Hydrology	Continuing	
	PR	Surface/Water Quality Analysis	Continuing	
	PR	SS Ground Water Investigations	Continuing	
	PR	Red Water Overburden Study	Completed	
	PR	Bull Mountains Overburden Study	Continuing	
	FU	SS Hydrology--Wibauz Bench and Rattlesnake	Completed	
		Garrison Overburden Analysis	Completed	
		Mercer Overburden Analysis	Completed	
	FU	Upper Ft. Union Geochemistry Studies	Continuing	
	PR	Prairie Dog Cr. Hydrologic Modeling	Continuing	
	FU	Beula Trench & Wibaux Beach Hy. Modeling	Continuing	
	PR	Wildlife Habitat Reclamation Potential (MT)	Completed	
	FU	Wildlife Habitat Reclamation Potential (ND)	Completed	

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GH-Green River-Hams Fork; PR-Powder River; DR-Denver Raton; SA-Southern Appalachian; FU-Fort Union; SJ-San Juan; OK-Oklahoma; US-Uinta-Southwestern Utah.

SOURCE: Department of the Interior, Bureau of Land Management, Office of Coal Management

New Mexico-			
Oklahoma	SJ	Watershed Characterization	Continuing
	SJ	Hydrologic Surveillance	Continuing
	OK	Hydrologic Investigation-Blocker Area	Continuing
	OK	Hydrologic Investigation-Rock Island Area	Continuing
	OK	Hydrologic Investigation-Red Oak Area	Continuing
	OK	Hydrologic Investigation-Stigler Area	Continuing
	OK	Sediment Study-Lehigh Area	Continuing
	OK	Watershed Characterization	Continuing
	OK	Hydrologic Model-Kimbeto	Continuing
	OK	Hydrologic Model-Lehigh Area	Continuing
		Coal Resource Evaluation	Completed
Utah	US	Ferron Sandstone Hydrology	Continuing
	US	C. Wasatch Plateau Hydrology	Continuing
	US	Tract Evaluation (unsuitability)	Continuing
	US	Revegetation of Emery Alton Area	Continuing
	US	Revegetation of Henry Mt. Area	Continuing
	US	Coal Resource Evaluation	Completed
Wyoming	PR	Hydrologic Monitoring-Powder River	Continuing
	GH	" " Green River & CD	Continuing
	GH	" " Hanna Basin	Continuing
	GH	" " Other Basins	Continuing
	GH	Precip., Inf. & Runoff Relations	Continuing
	PR	Plains Area Runoff Water Quality	Continuing
	PR	Stream Flow Characteristics	Continuing
	PR	Water Resources Data Bank (University)	Continuing
	PR	Casper Dist. Alluvial Valley Floors Id.	Completed
	PR	Ground Water Monitoring Literature	Completed
Denver Service Center			
Division of Special			
Studies			
		Report Preparation	Continuing
		Climate Assessments (Reports)	Continuing
		Overburden Geochemistry	Continuing
		Wildlife Habitat Reclamation Literature	Completed
		State Reclamation Laws Summaries	Completed
		Hydrologic Model Data Acquisition	Completed
		Hy, Model Dev-QW, Sediment, Surface/GR W	Continuing
		Plant Information Network	Continuing
		Reclamation Equipment Development	Continuing
		Reclamation Training Package Dev.	Continuing
		Channel Geometry Regionalization	Completed
		Regional Geochemistry-QW Studies	Completed
		Development of Reclamation Handbooks	Completed

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GH-Green River-Hams Fork; PR-Powder River; DR-Denver Raton; SA-Southern Appalachian; FU-Fort Union; SJ-San Juan; OK-Oklahoma; US-Uinta-Southwestern Utah.

SOURCE: Department of the Interior, Bureau of Land Management, Office of Coal Management

GLOSSARY

BLM	Bureau of Land Management
CA	Cumulative Analysis
CRO/CDP	Coal Resource Occurrence/Coal Development Potential (Maps)
DCF	Discounted Cash Flow
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
EIS	Environmental Impact Statement
EMRIA	Energy Minerals Rehabilitation Inventory and Analysis
EPA	Environmental Protection Agency
FCLAA	Federal Coal Leasing Amendments Act
FLPMA	Federal Land Policy and Management Act
FMV	Fair Market Value
FS	Forest Service (USDA)
FWS	Fish and Wildlife Service
FY 1980	Fiscal Year 1980
GS	Geological Survey
IBLA	Interior Board of Land Appeals
KRCRA	Known Recoverable Coal Resource Area
LMU	Logical Mining Unit
LUP	Land Use Plan
MER	Maximum Economic Recovery
MFP	Management Framework Plan
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NAWDEX	National Water Data Exchange System
NCRDS	National Coal Resources Data System
NEPA	National Environmental Policy Act
NPS	National Park Service
NRDC	Natural Resource Defense Council, Inc.
OCLPC	Office of Coal Leasing, Planning and Coordination
OSM	Office of Surface Mining Reclamation and Enforcement
PRLA	Preference Right Lease Application
RAM	Rapid Assessment Methodologies
RCT	Regional Coal Team
RMP	Resource Management Plan
SBA	Small Business Administration
SID	Secretarial Issue Document
SMCRA	Surface Mining Control and Reclamation Act
SRA	State Regulatory Authority
SSA	Site-Specific Analysis
URA	Unit Resource Analysis
USDA	U.S. Department of Agriculture

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